

Joint Appropriations Subcommittee on  
Justice and Public Safety

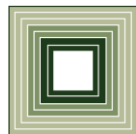
**Department of Justice**  
**Administration**  
**Legal Services**  
**Training and Standards**

March 18, 2015



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

# Follow-up from Yesterday



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

# Lapsed Salary Use

---

**Lapsed salary:** the dollar amount of salary and associated benefits not expended during the period in which a position is vacant

## **G.S. 143C-6-9 Use of lapsed salary savings**

*Lapsed salary savings may be expended only for nonrecurring purposes or line items.*

### **OSBM Budget Manual:**

- Limited to expenditure in Personal Services, Purchased Services, Supplies, Equipment, or Other accounts
- Expenditure in Purchased Services does not require prior approval of OSBM
- Funds can only be spent after they have been generated
- Contracts funded with lapsed salaries are limited to the fiscal year
- Funds can't be used to create new positions, provide salary increases, or expand the scope of a program

# Budget Terms: Base Budget

---



- Previous year's authorized budget
- Backs out nonrecurring reductions or increases
- May also include adjustments for:
  - Annualization of programs
  - Federal payroll tax changes
  - Contracted lease rate increases
  - Receipt projections
  - Reconciliation of intra- and intergovernmental transfers

# JPS - DOJ

## Department of Justice (DOJ)

**Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement training and standards**

*Roy Cooper, Attorney General*

Includes:

- Legal services
- Consumer Protection
- Criminal Justice Training and Standards
- NC State Crime Lab

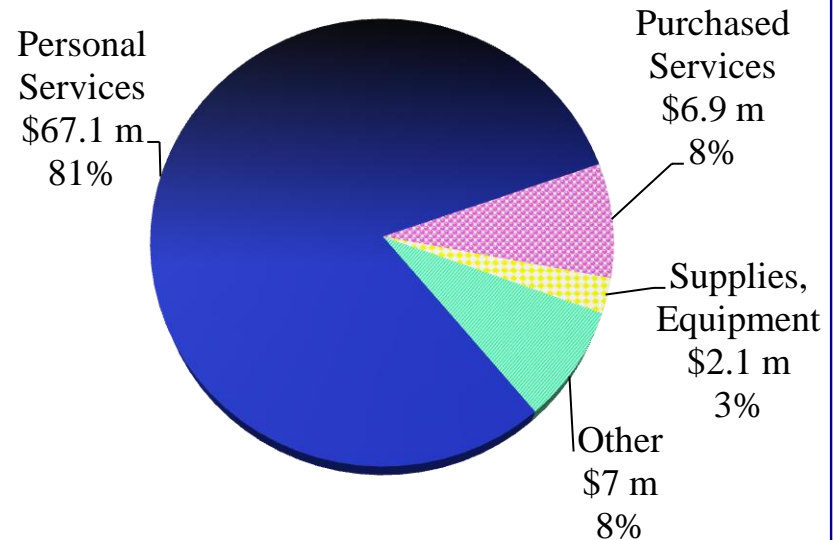
Total General Fund Base Budget:

**\$83.1 million**

Total FTE Employees:

**807.76**

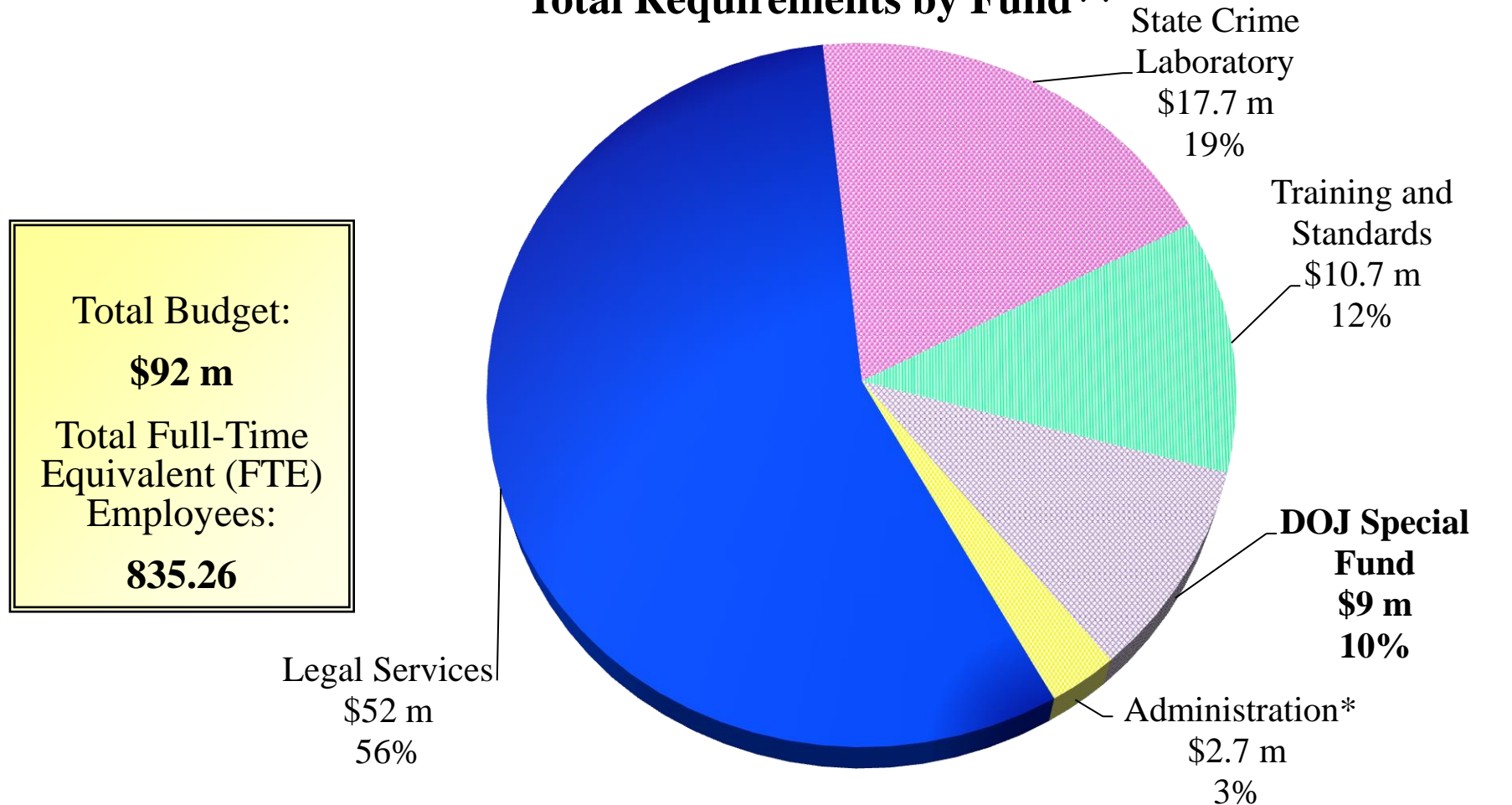
**DOJ General Fund Base Budget  
FY 2015-16**



Source: NCIBIS, DOJ Worksheet I, 3/3/2015

# FY 2015-16 Base Budget

## Total Requirements by Fund\*\*

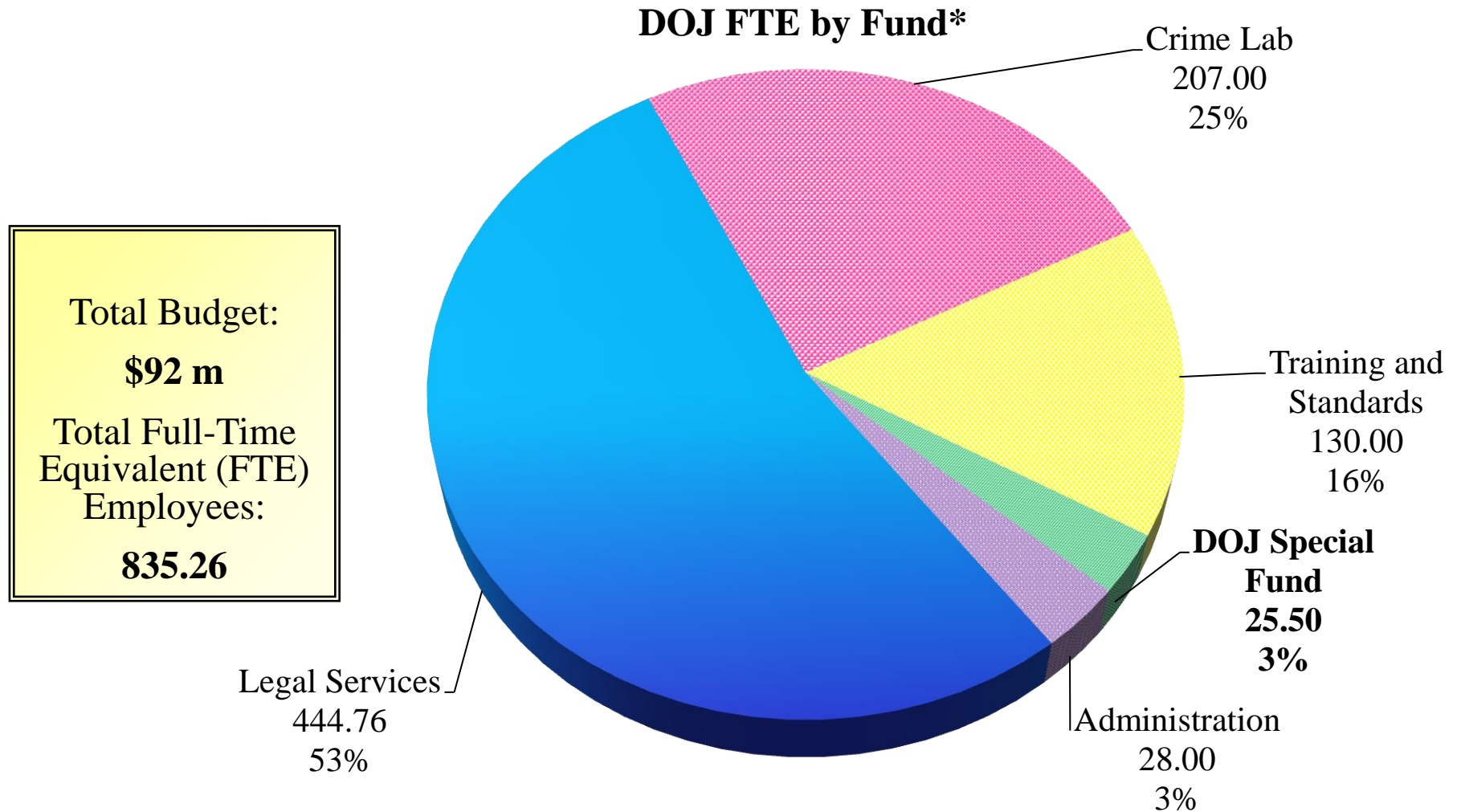


\*\*Intergovernmental transactions have been adjusted to avoid double counting.

\*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

# FY 2015-16 Base Budget

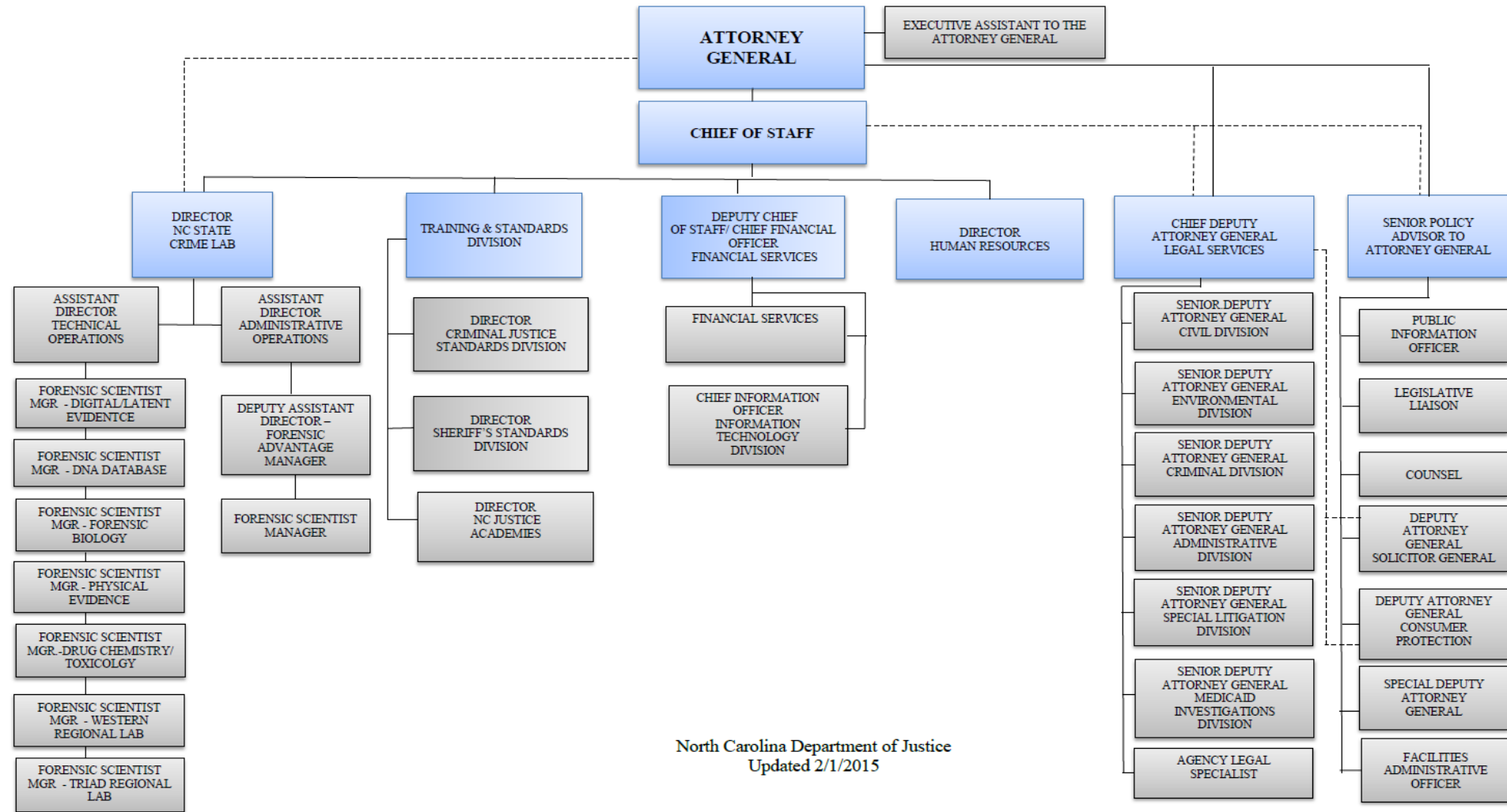


Source: FTE – Beacon BO149 3/5/2015

\*Administration includes Fund Codes 1100 and 1991



# Department of Justice





# Administration



# DOJ Administration

---

## General Administration:

- Attorney General and administrative support

## Financial Services:

- Accounting
- Budgeting
- Cash management
- Payroll
- Contract oversight
- Reporting
- Audit

## Human Resources:

- Recruitment
- Compensation, and benefits
- Performance
- Professional development
- Occupational Safety and Health

Total General  
Fund (GF)  
Budget:

**\$2,651,232**

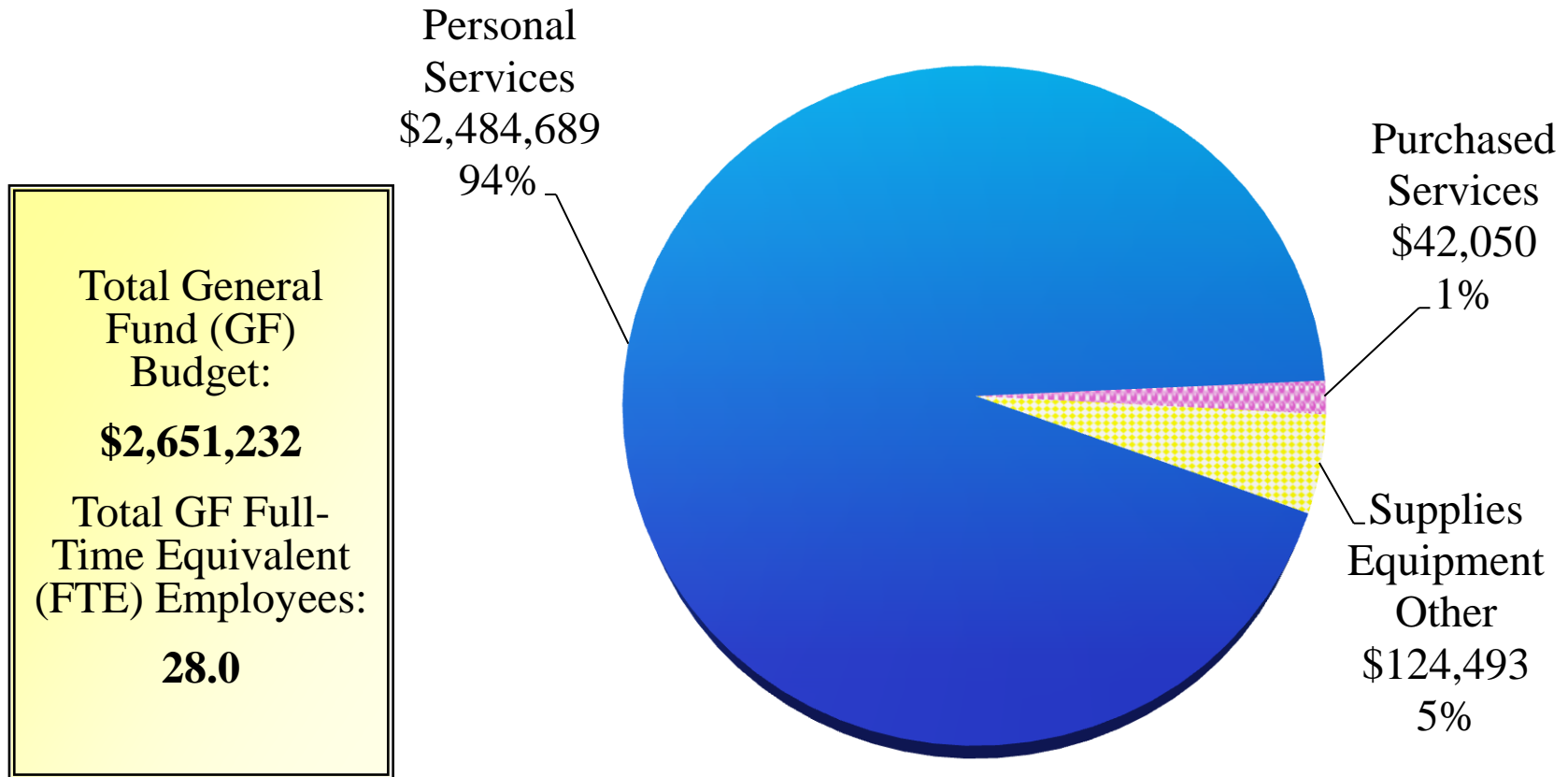
Total GF Full-  
Time Equivalent  
(FTE) Employees:

**28.0**

*Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015*

# FY 2015-16 Base Budget

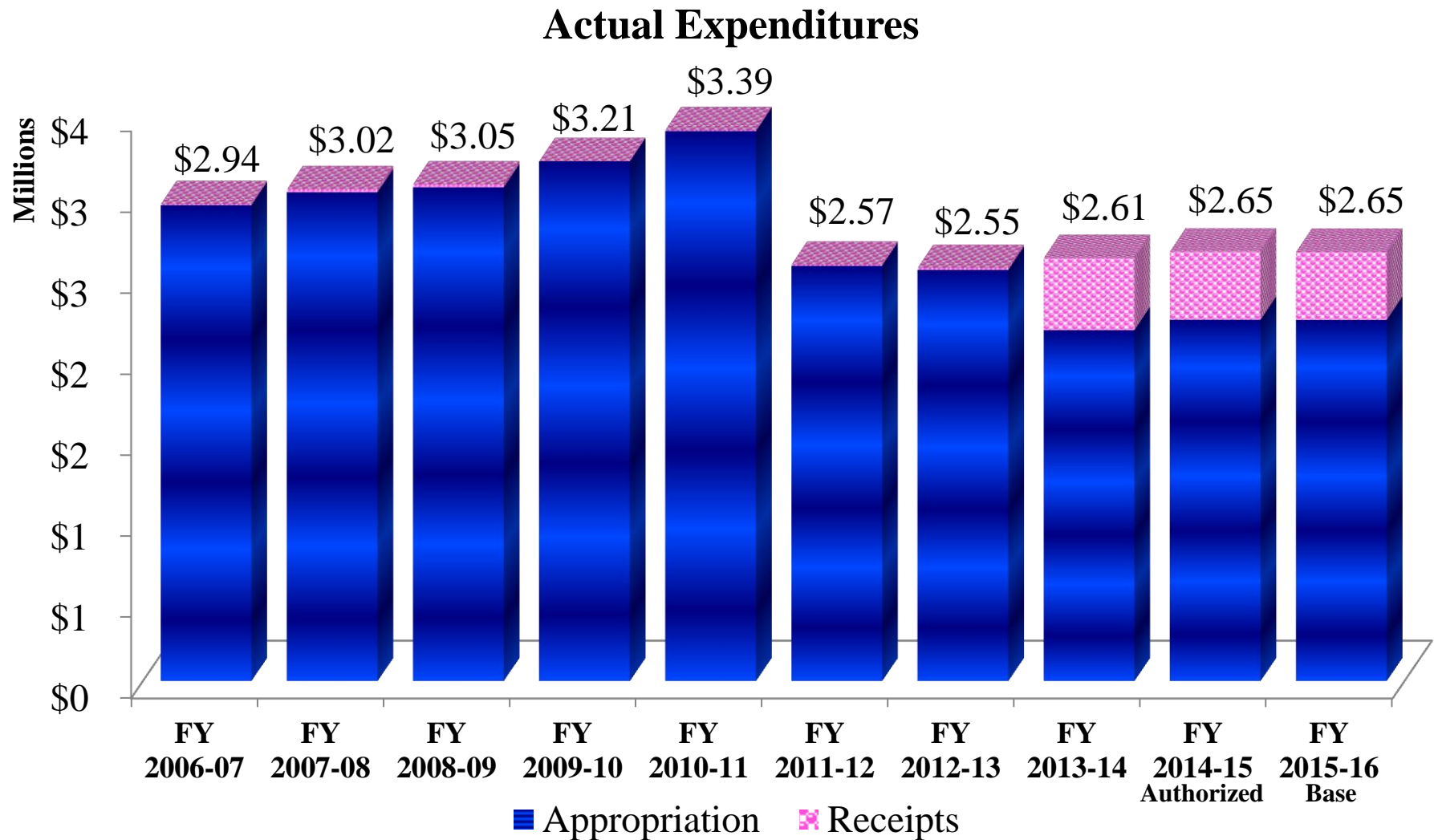
## Administration\* by Account



Source: NCIBIS, 3/3/2015

\*Administration includes Fund Codes 1100 and 1991

# Administration Budget History



Source: NCAS Budget History and Management Analysis, NCIBIS Worksheet I, 3/03/2015

# Recent Budget Actions

---

## **2013 Budget (S.L. 2013-360)**

Department-wide Management Flexibility Reserve	(\$1,700,000) R
Four positions shifted to receipt support	(\$259,310) R

## **2014 Budget (S.L. 2014-100)**

Department-wide Management Flexibility Reserve	(\$1,500,000) R
\$1,000 salary increase for all permanent FTE	\$989,918 R

# Legal Services



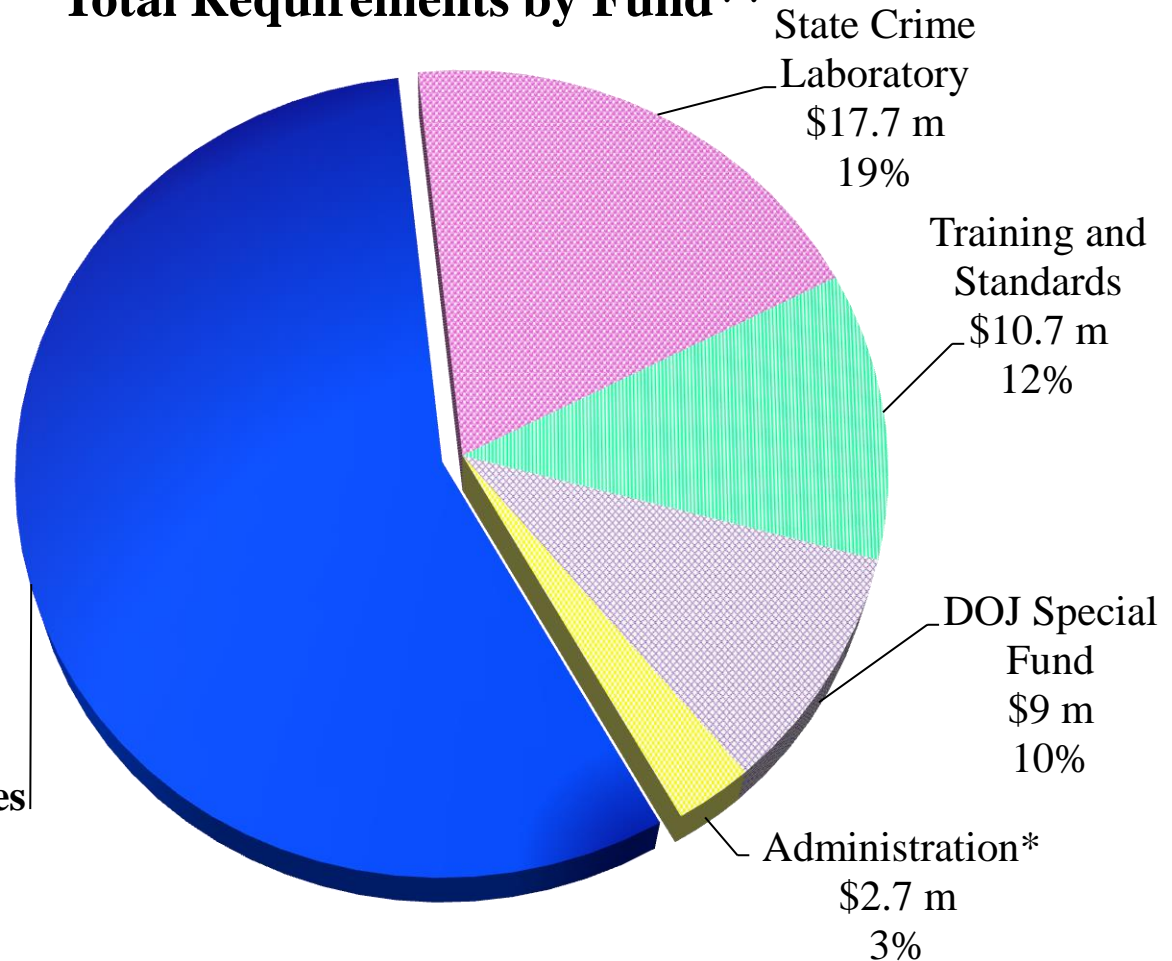
# FY 2015-16 Base Budget

## Total Requirements by Fund\*\*

Total Budget:  
**\$92 m**

Total Full-Time  
Equivalent (FTE)  
Employees:  
**835.26**

**Legal Services**  
**\$52 m**  
**56%**



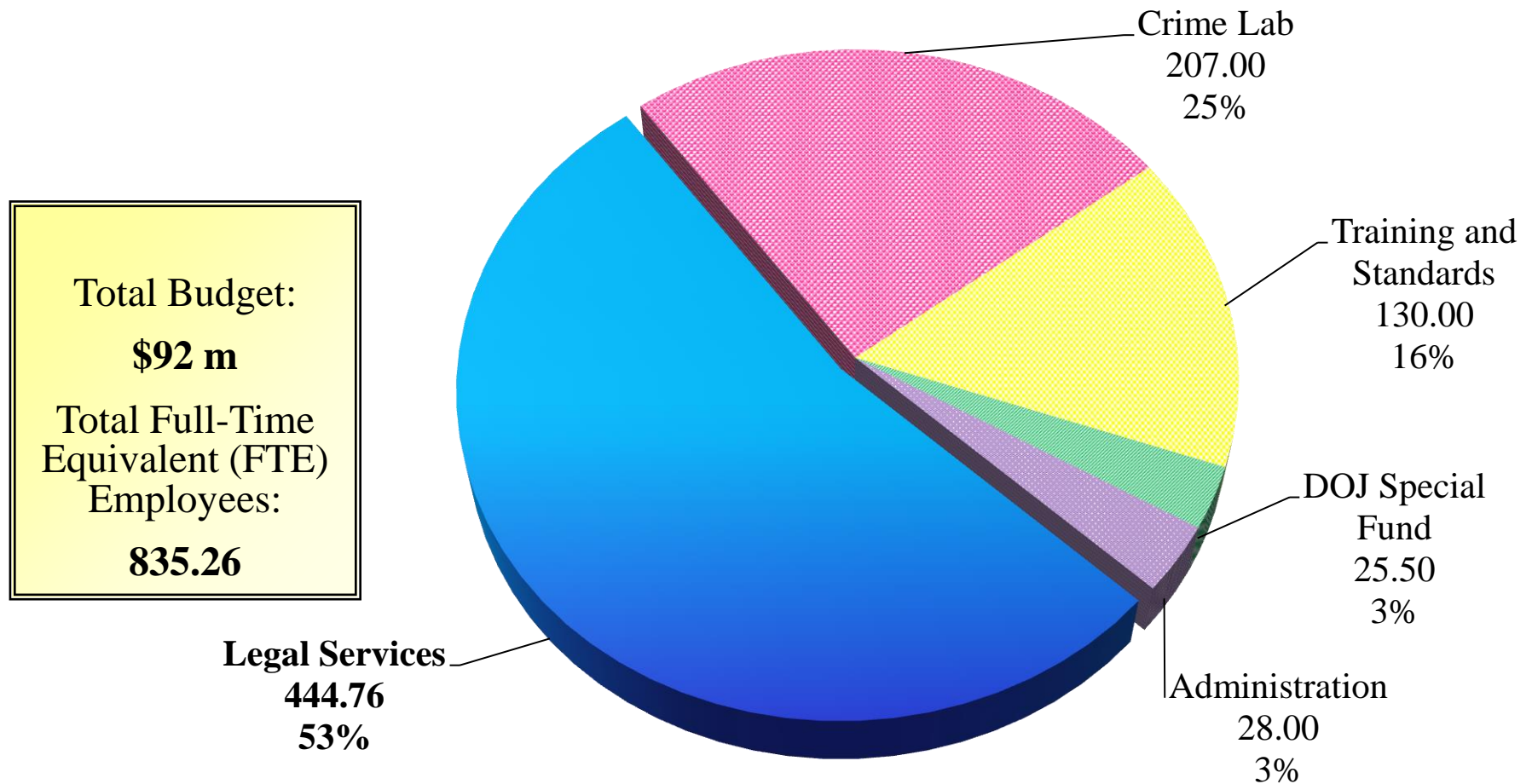
\*\*Intergovernmental transactions have been adjusted to avoid double counting.

\*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015



# FY 2015-16 Base Budget



Source: BEACON BO149, 03/05/2015

\*Administration includes Fund Codes 1100 and 1991

# Legal Services

---

## **G.S. 114-2 - Attorney General is responsible for:**

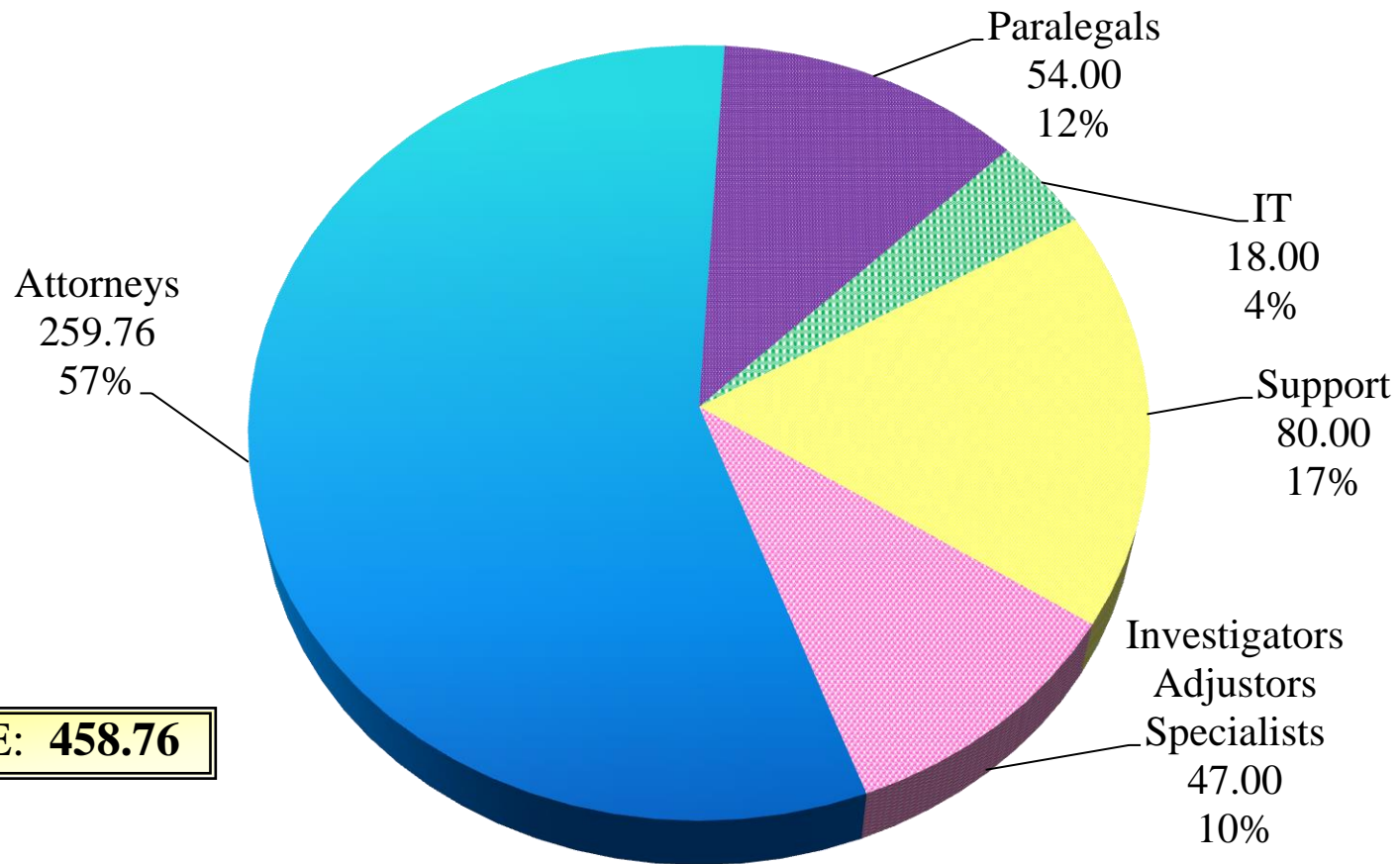
- Representing the State in all matters (civil and criminal)
- Providing representation and advice to all State agencies
- Providing consultation and advice to prosecutors

## **Legal Services Divisions**

- Administrative
- Civil
- Consumer Protection
- Criminal
- Environmental
- Medicaid Investigations
- Special Litigation
- Office of the Solicitor General

# Legal Services

Legal Services Positions



Source: BEACON BO149, 03/05/2015

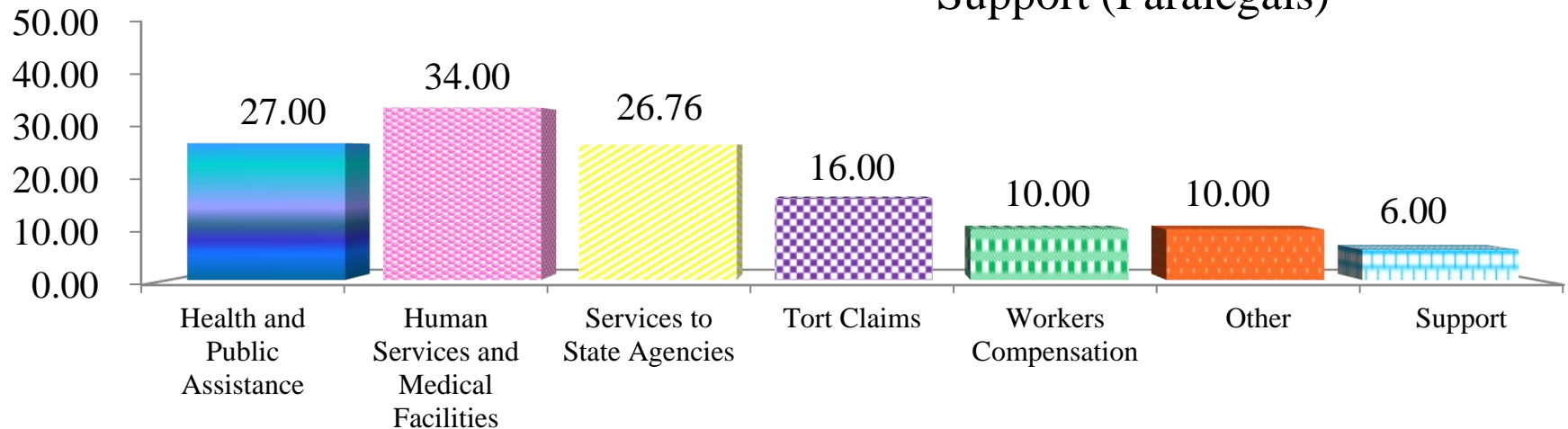
# Administrative Division

**Legal advice and representation to most State agencies**

**129.76 FTE**

## Sections:

- Public Health and Child Welfare
- Public Assistance
- Human Services and Medical Facilities
- Services to State Agencies
- Tort Claims
- Workers' Compensation
- Composite Litigation
- Support (Paralegals)



Source: BEACON BO149, 03/05/2015

# Administrative Division

---

## Services to Agencies

### **Statutorily Assigned:**

- Revenue (G.S. 114-4)
- DOT (G.S. 114-4.2)
- Insurance (G.S. 114-4.2A)
- UNC Hospitals (G.S. 114-4.2B)
- Real Estate Commission (G.S. 114-4.2C)

### **Others**

- Some agencies contract for positions
- State agencies billed for direct litigation costs (G.S. 114-8.2)
- Receipt supported boards and commissions pay for all legal services (G.S. 114-8.2)
- Itemized bills sent to agencies (G.S. 114-8.5)

**Outside attorneys must be approved by the AG (G.S. 114-2.3)**

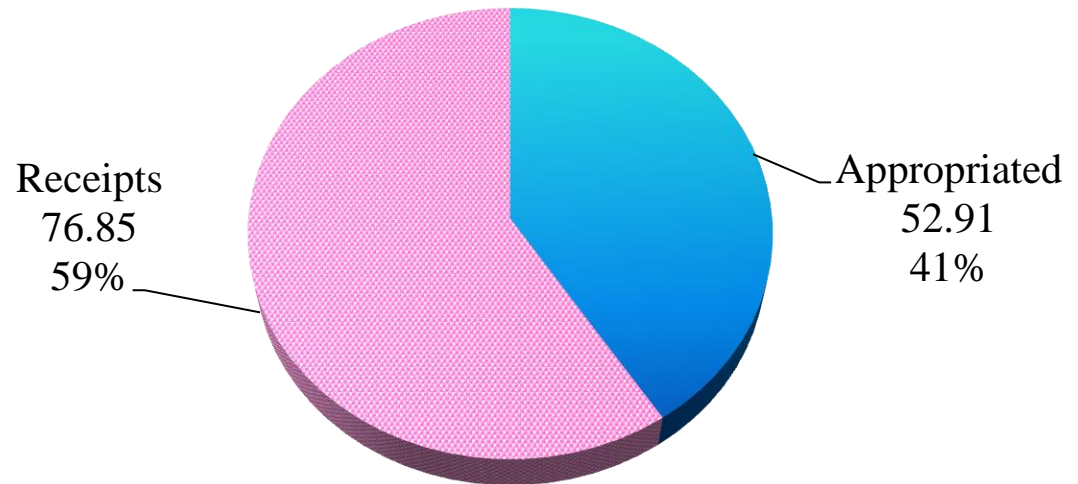
# Administrative Division

---

## Receipts

- Interagency transfers for services
- Tort claim funds from public schools

**Administrative Division FTE by Source**



Source: BEACON BO149, 03/05/2015

# Civil Division

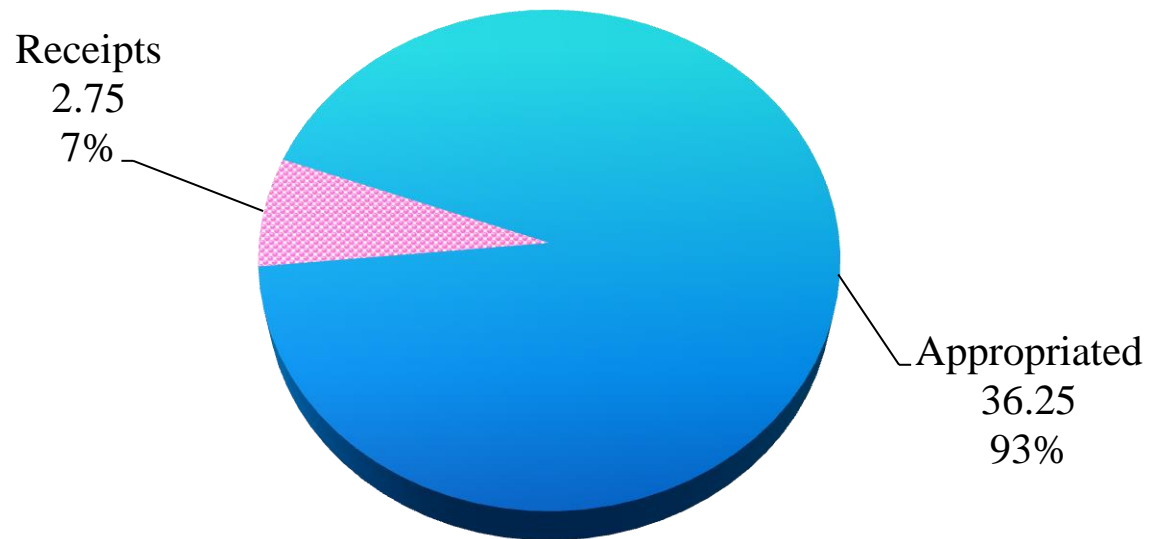
**Civil claims and litigation involving the State, its officials or employees**

**39 FTE**

## **Sections:**

- Insurance
- Labor
- Property Control
- Revenue
- Transportation
- Motor Vehicles

**Civil Division FTE by Source**



*Source: BEACON BO149, 03/05/2015*



# Consumer Protection Division

---

**Protects the public from unlawful business practices**

**57 FTE**

In FY 2013-14 Consumer Protection:

- Received 20,686 written consumer complaints
- Received 34,320 phone complaints or inquiries
- Generated approximately \$3.2 million in settlements

**Entirely receipt supported**



*Source: BEACON, BO149, 03/05/2015; CP statistics - DOJ*

# Criminal Division

**Criminal appeals, representation and advice related to law enforcement, and assistance in prosecuting some criminal cases**

**73.0 FTE**

## **Sections:**

- Public Safety
- Law Enforcement Liaison
- Special Prosecutions
- Criminal Appellate
- Capital Litigation/Federal Habeas

	2010	2011	2012	2013	2014
Criminal Appeals Briefs	760	778	773	687	635
Capital Cases	Unavailable	145	142	147	143
Federal Non-capital cases	58	116	106	136	135

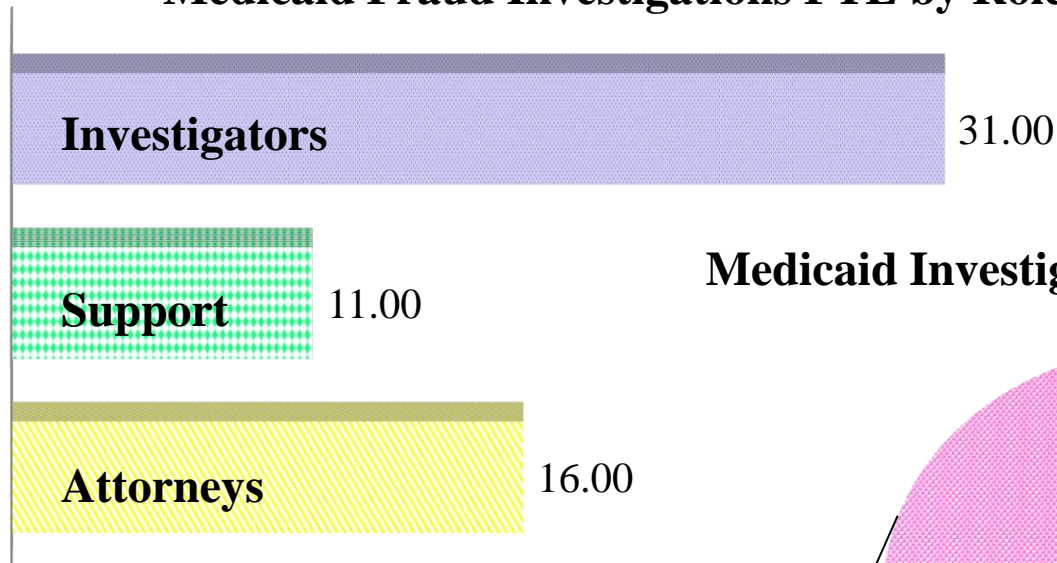
*Source: BEACON, BO149, 03/05/2015; Case statistics - DOJ*

# Medicaid Investigations Division

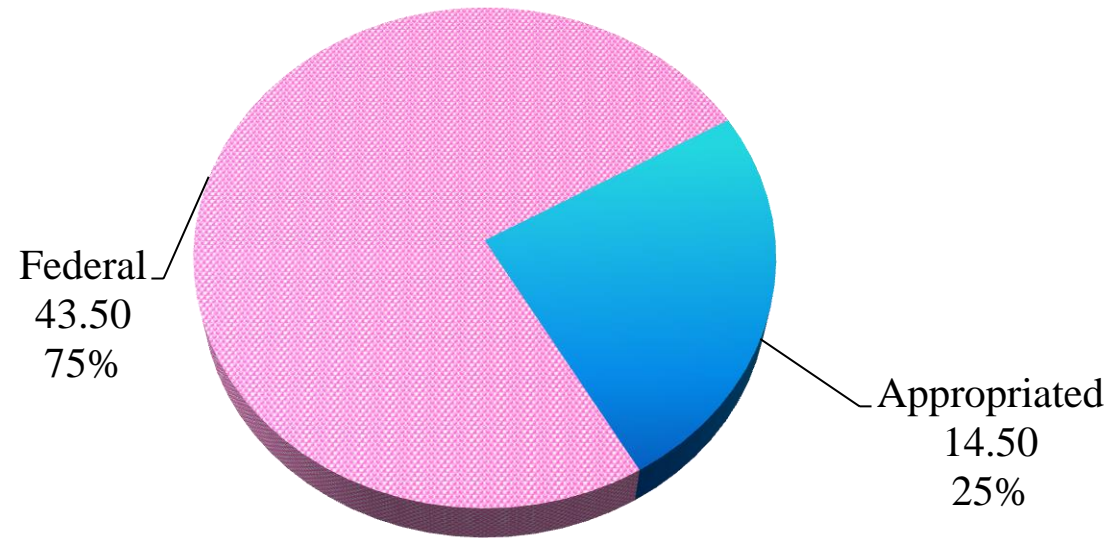
**Investigates Medicaid fraud and abuse**

**58.0 FTE**

**Medicaid Fraud Investigations FTE by Role**



**Medicaid Investigations FTE by Source**



*Source: BEACON BO149, 03/05/2015*

# Medicaid Investigations Division

---

## Medicaid Settlements are distributed to:

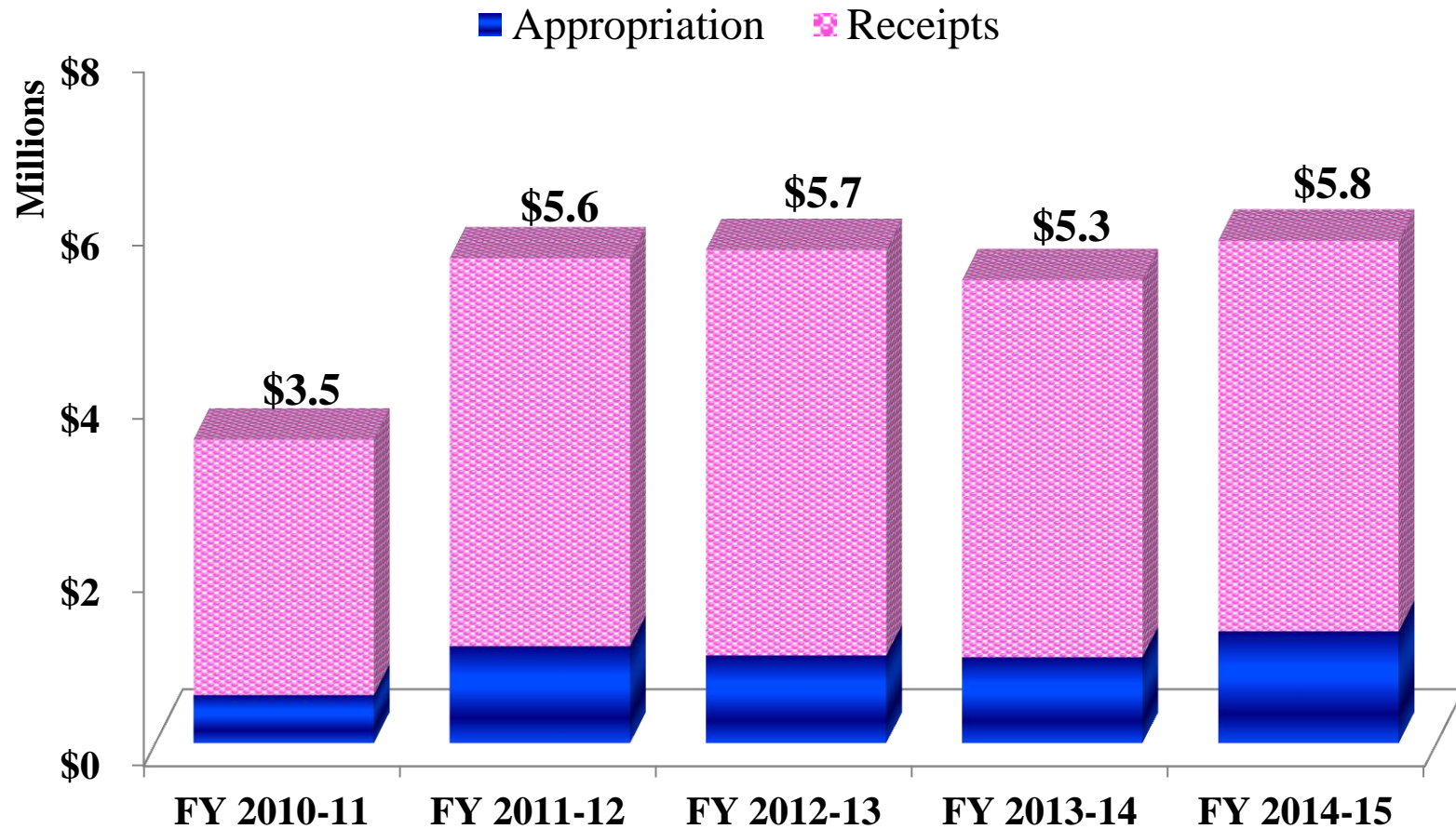
- Federal government
- State Medicaid Program
- Civil Fines and Forfeitures Fund (public schools)
- DOJ

	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Referrals	240	298	347	423
Investigations	289	374	502	561
Recoveries	\$38,659,712	\$48,794,392	\$52,701,055	\$55,768,753

*Source: DOJ Medicaid Fraud Unit Annual Reports*

# Medicaid Investigations Division

## Medicaid Fraud Budget by Source



Source: NCAS Budget History and Management Analysis

**Certified**

# Other Divisions

---

## **Special Litigation Division (30.0 FTE)**

Complex litigation in which the public has a vital stake. Sections include Special Litigation and Education.

## **Office of Solicitor General (3.0 FTE)**

Represents the State before the Supreme Court

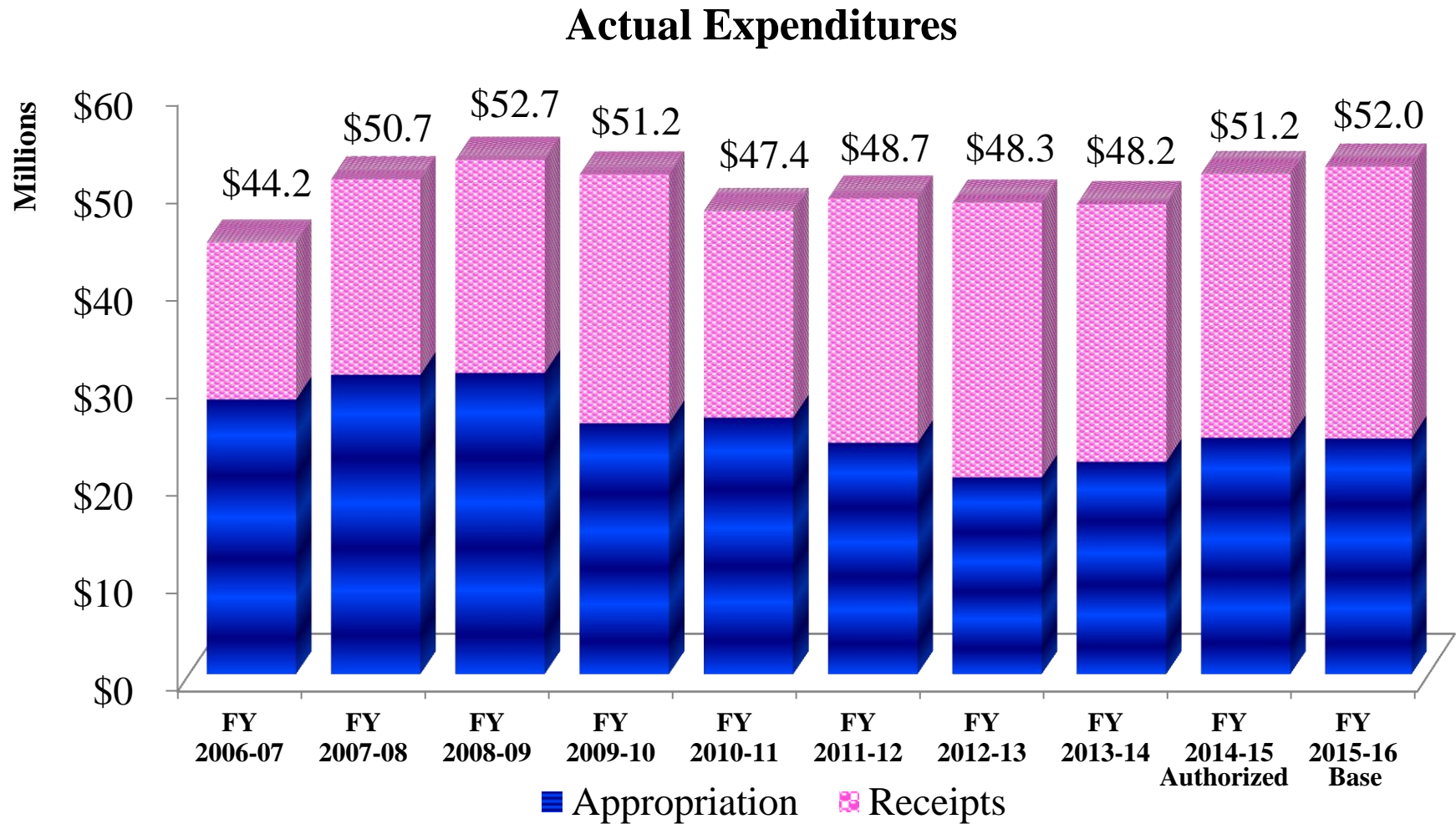
## **Environmental Division (43.0 FTE)**

Advises and represents DENR, and investigates and prosecutes environmental criminal and civil actions. Sections include Air and Natural Resources, Waste Management, and Water and Land

*Source: BEACON BO149, 03/05/2015*



# Legal Services Budget History



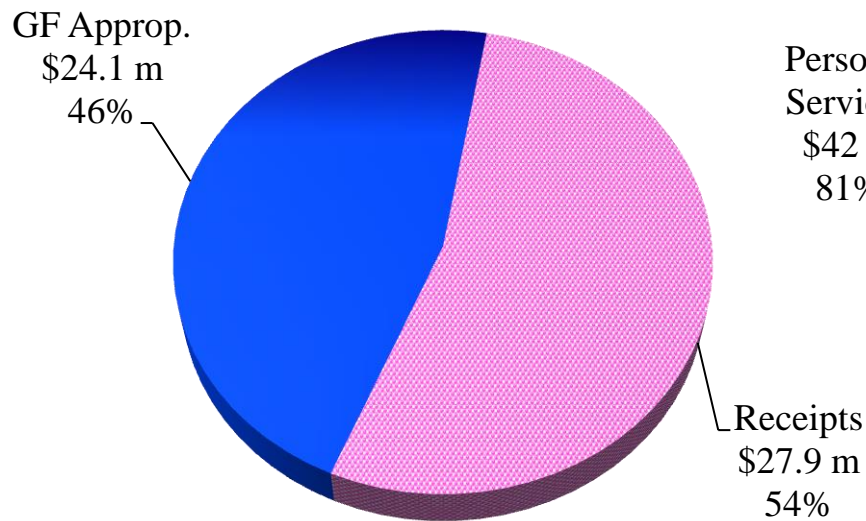
Source: NCAS Budget History and Management Analysis



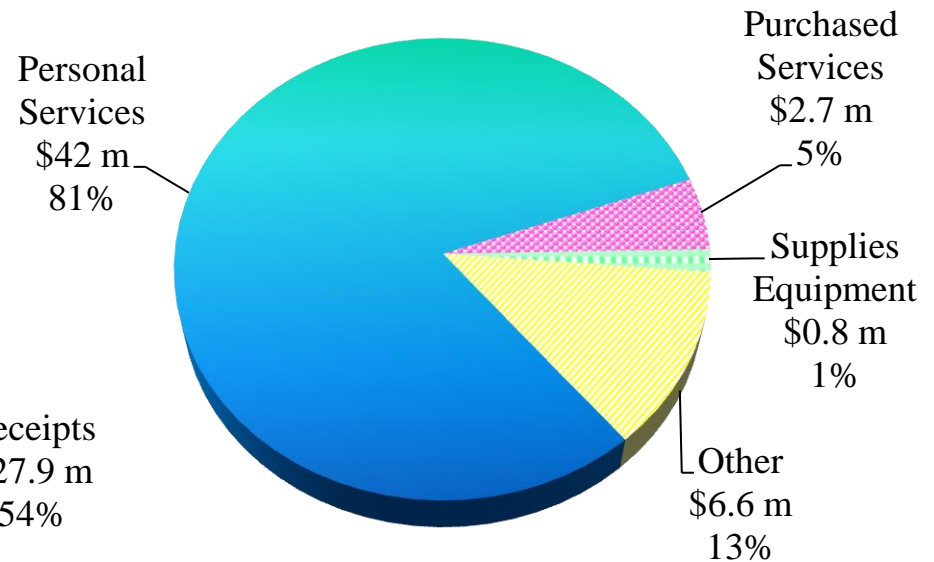
# FY 2015-16 Base Budget

Total General Fund (GF) Requirements: **\$51,996,584**  
Total GF Full-Time Equivalent (FTE) Employees: **444.76**

## Legal Services by Source



## Legal Services by Account



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

# Recent Budget Actions

---

## **2013 Budget (S.L. 2013-360)**

Department-wide Management Flexibility Reserve (\$1,700,000) R

Three positions shifted from receipt support \$244,661 R

- **Sec. 17.1** requires an annual report on attorney activity
- **Sec. 17.8**, as amended by S.L. 2013-363, transferred 19 receipt supported attorney positions to the agencies they served.

## **2014 Budget (S.L. 2014-100)**

Department-wide Management Flexibility Reserve (\$1,500,000) R

\$1,000 salary increase for all permanent FTE \$989,918 R

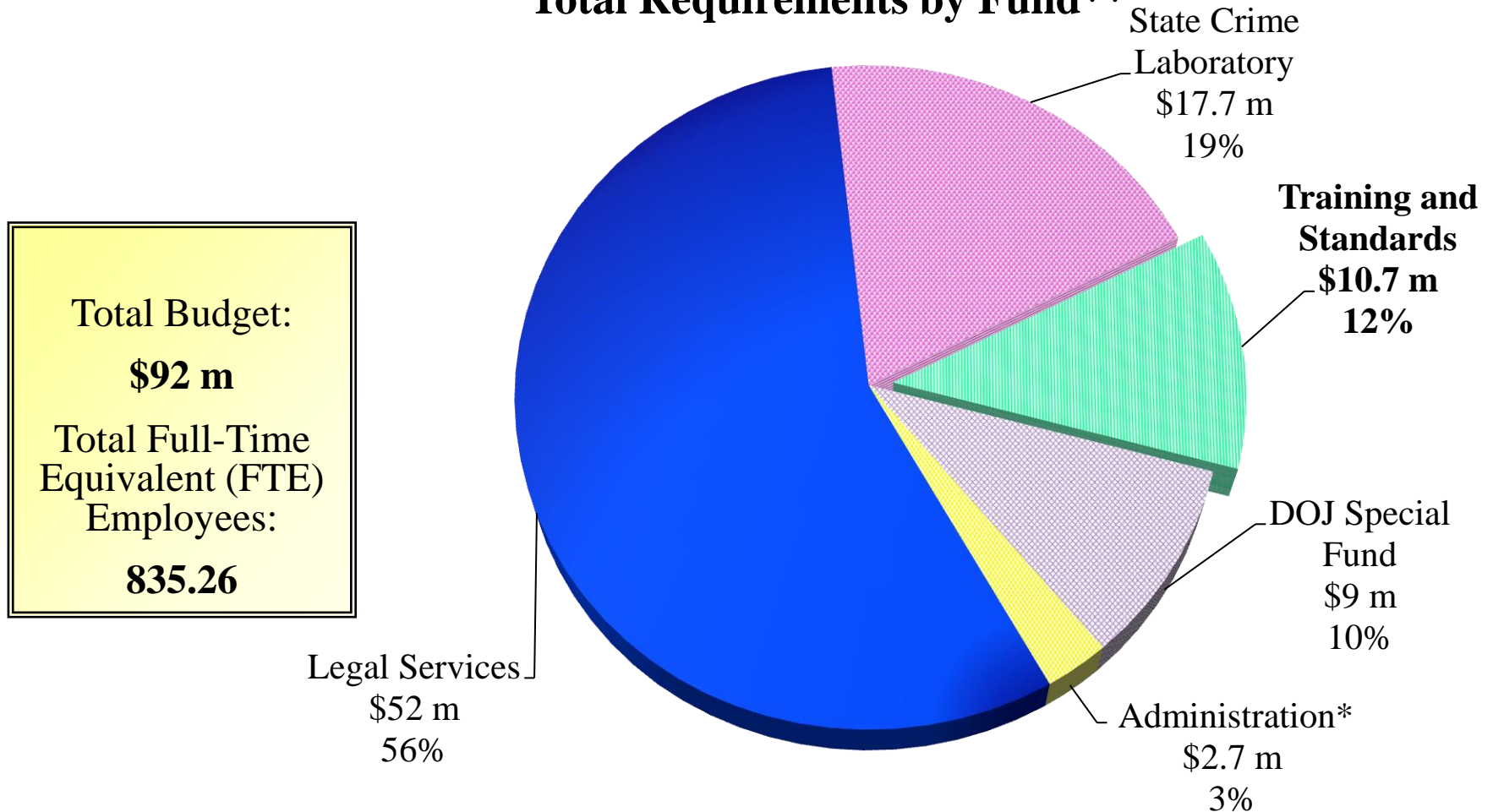
Transfer to NCGA Litigation Reserve (\$300,000) NR

# Training and Standards



# FY 2015-16 Base Budget

## Total Requirements by Fund\*\*

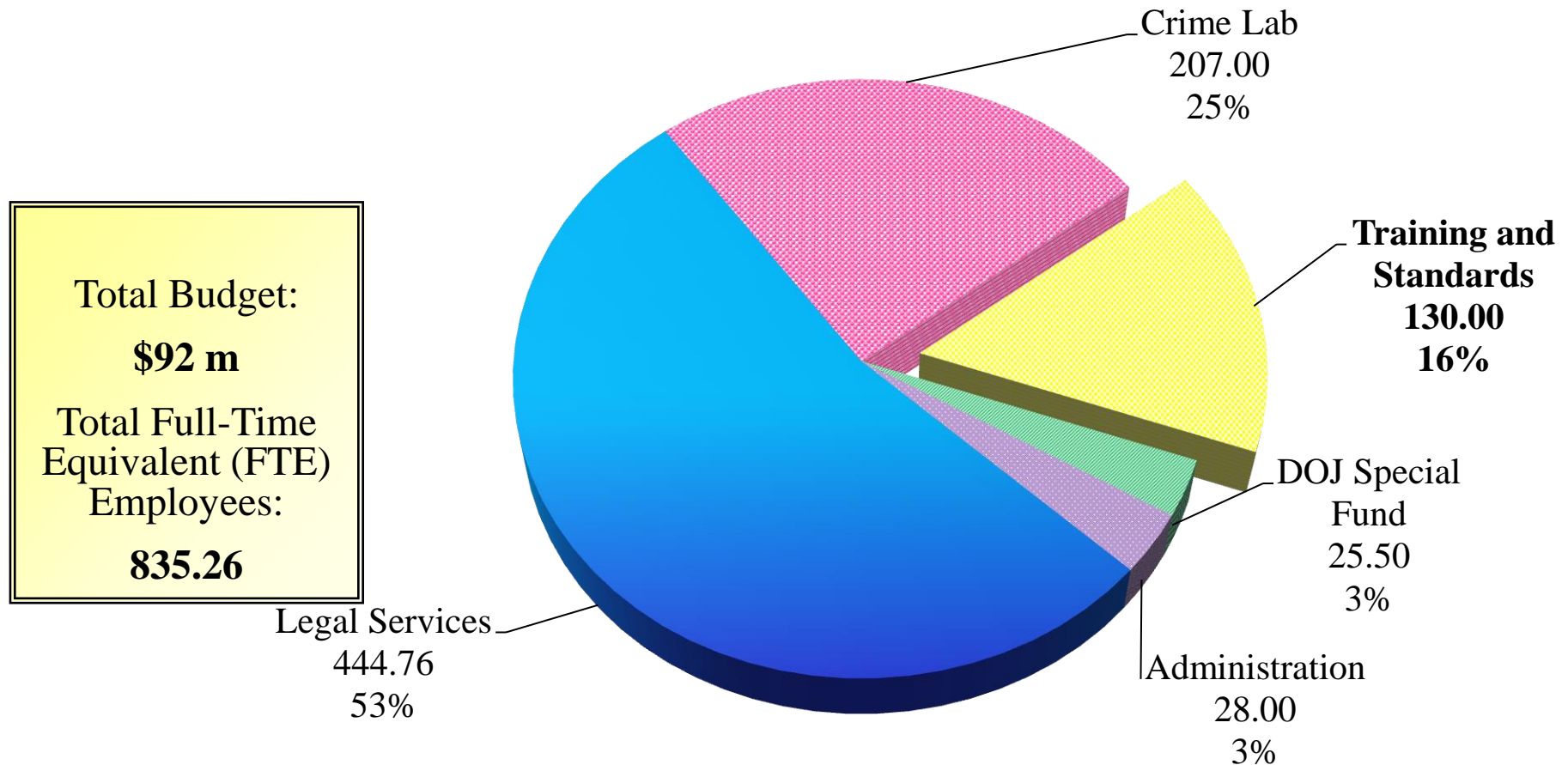


\*\*Intergovernmental transactions have been adjusted to avoid double counting.

\*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

# FY 2015-16 Base Budget



Source: FTE – Beacon BO149 3/5/2015

\*Administration includes Fund Codes 1100 and 1991

# Law Enforcement Training and Standards

---

## Three Sections:

- Criminal Justice Training and Standards Commission
- Sheriffs' Education and Training Standards Commission
- NC Justice Academy

## Provides certification and training for all criminal justice officers in the State:

- Deputy Sheriffs
- Police
- Detention Officers
- Telecommunicators
- Correctional officers
- Probation officers
- Juvenile justice officers
- Juvenile justice court counselors

Total FY 2015-16 Base  
Budget:

**\$12.3 m**

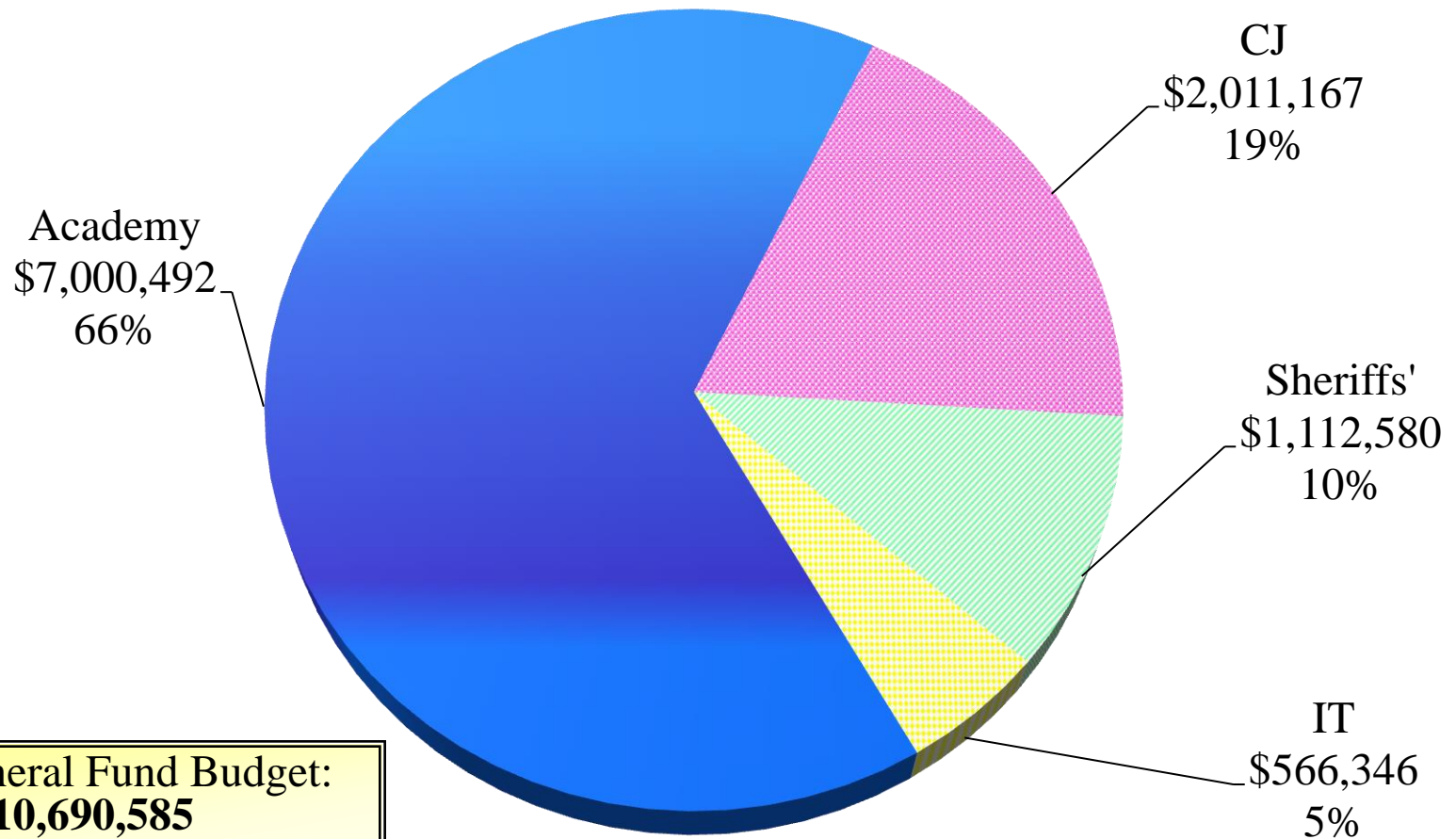
Total FTE:

**136.50**



# Training and Standards

## FY 2014-15 Authorized General Fund Budget by Section

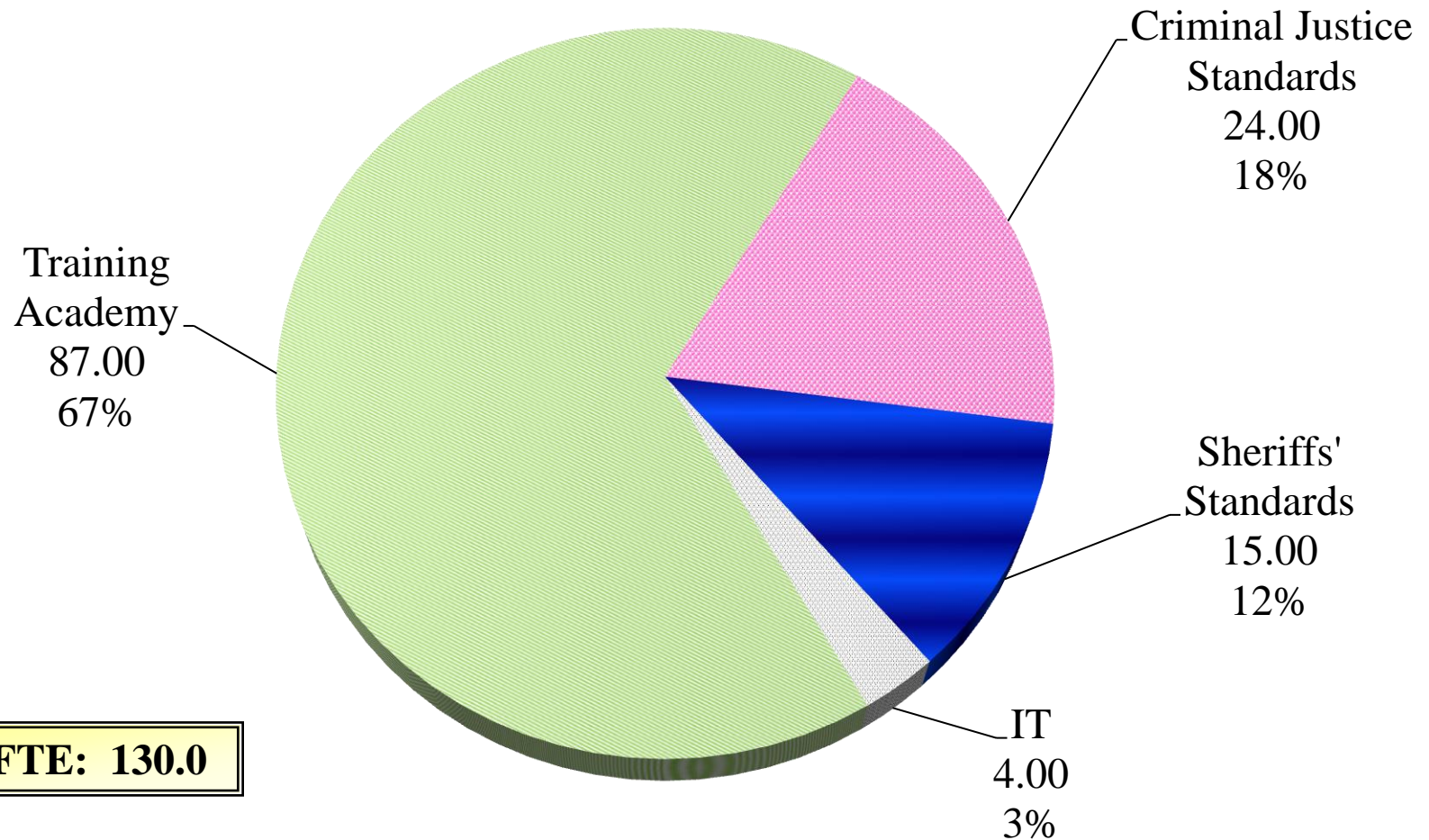


Source: NCAS



# Training and Standards

## General Fund Positions by Function



Source: BEACON, BO149, Run Date 03/05/2015

# Criminal Justice Education & Training Standards Commission

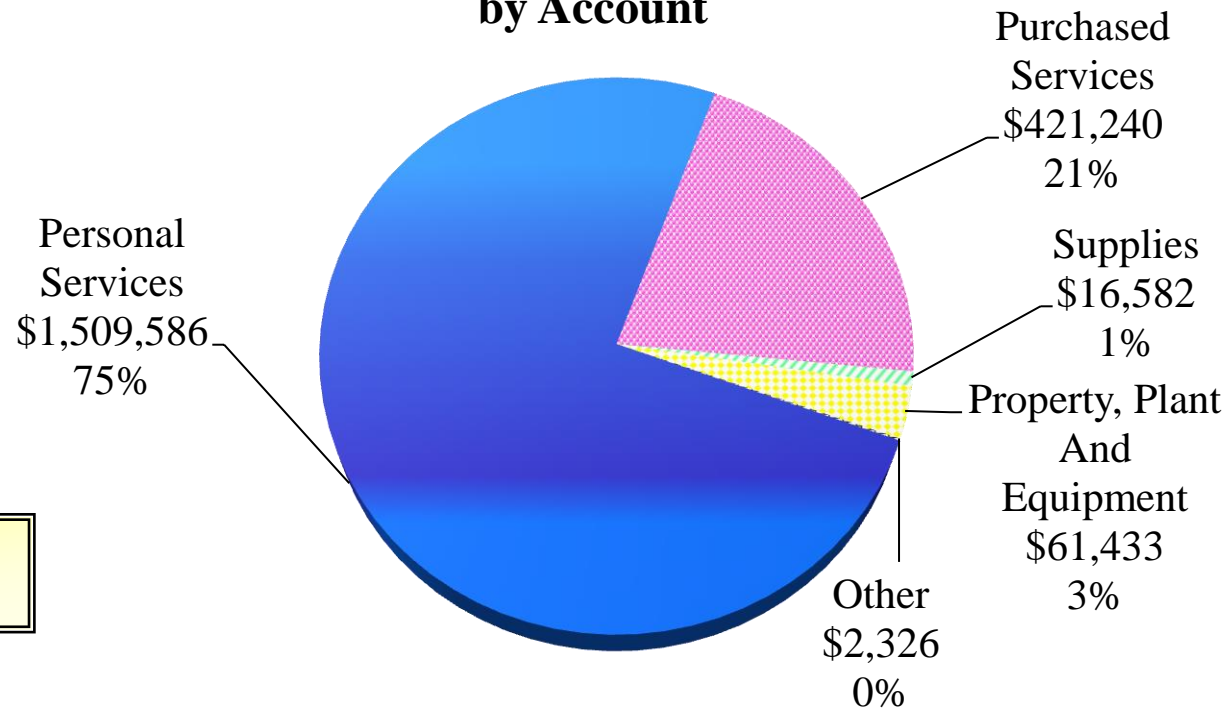
Established in 1971 – G.S. 17C

24 FTE

## Commission:

- 31 members
- Four meetings per year

## FY 2014-15 Authorized General Fund Budget by Account



Total General Fund Budget:  
**\$2,011,167**

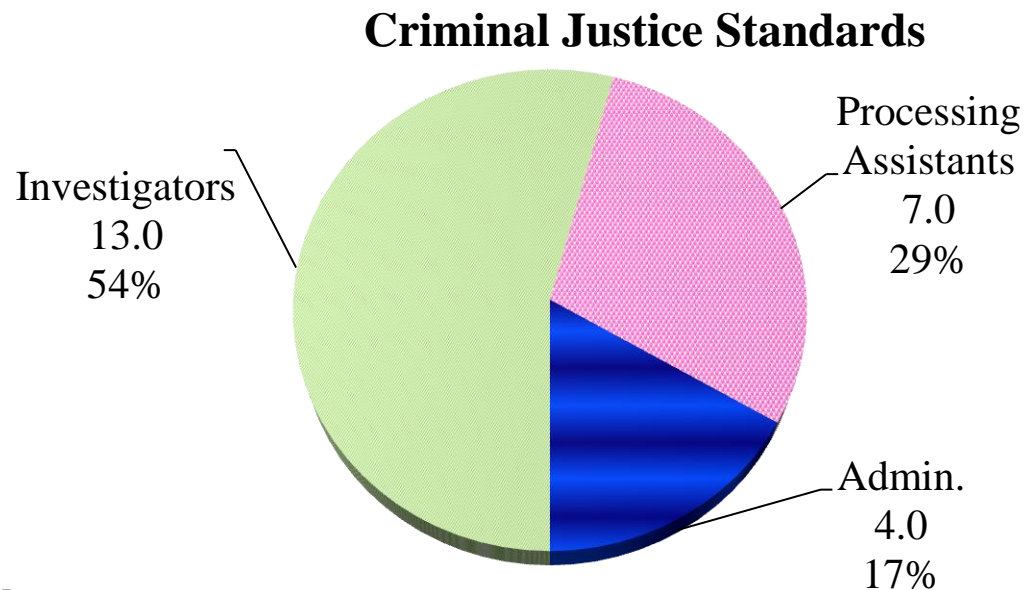
Source: NCAS; FTE – BEACON BO149, 03/05/2015

# Criminal Justice Education & Training Standards Commission

---

## Powers (G.S. 17C-6(a)):

- Establish minimum standards
- Certify, recertify, suspend, revoke, or deny certification
- Investigate and evaluate compliance
- Establish standards for annual firearms certification for retired officers



Source: BEACON, BO149, Run Date 03/05/2015

# Sheriffs' Education & Training Standards Commission

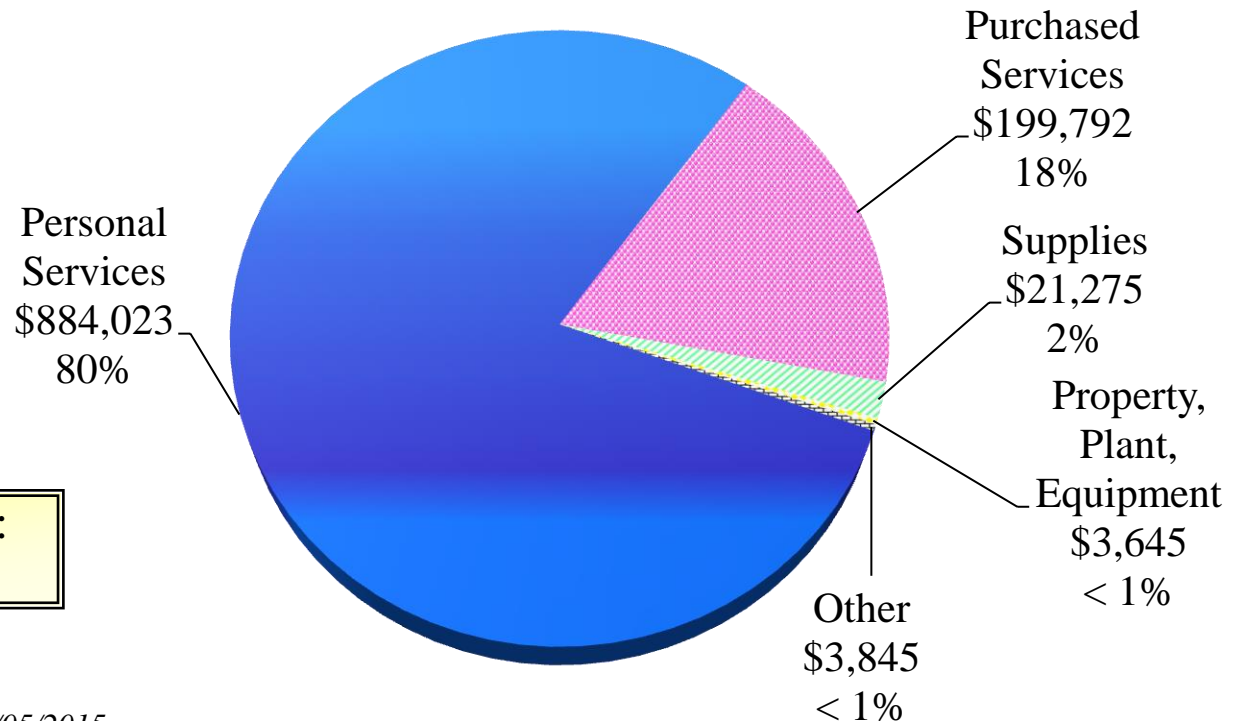
Established in 1983 – G.S. 17E

15 FTE

## Commission:

- 17 members
- Four meetings per year

## FY 2014-15 Authorized General Fund Budget by Account



Total General Fund Budget:  
**\$1,112,580**

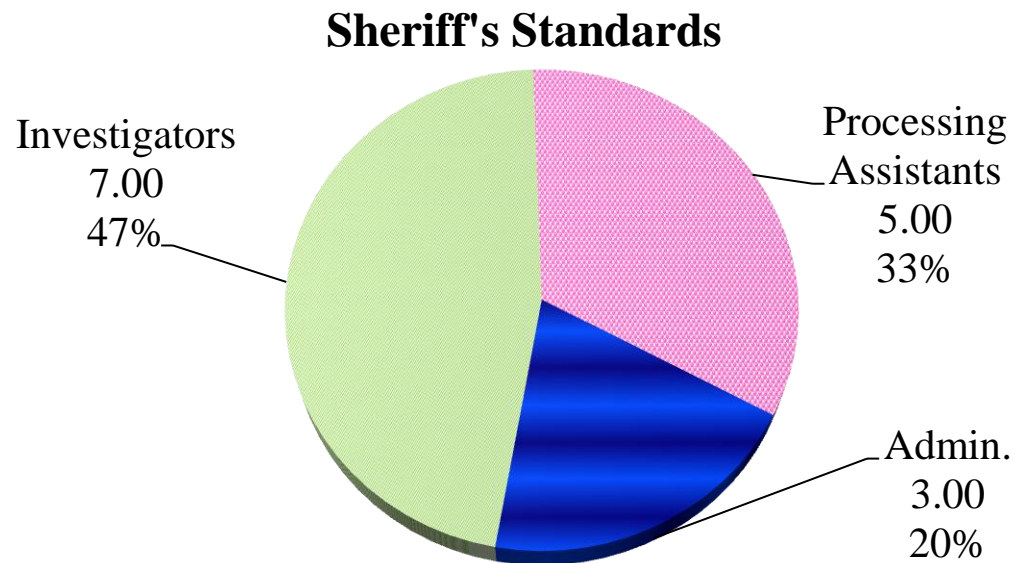
Source: NCAS; FTE – BEACON BO149, 03/05/2015

# Sheriffs' Education & Training Standards Commission

---

## Powers (G.S. 17E-4(a)):

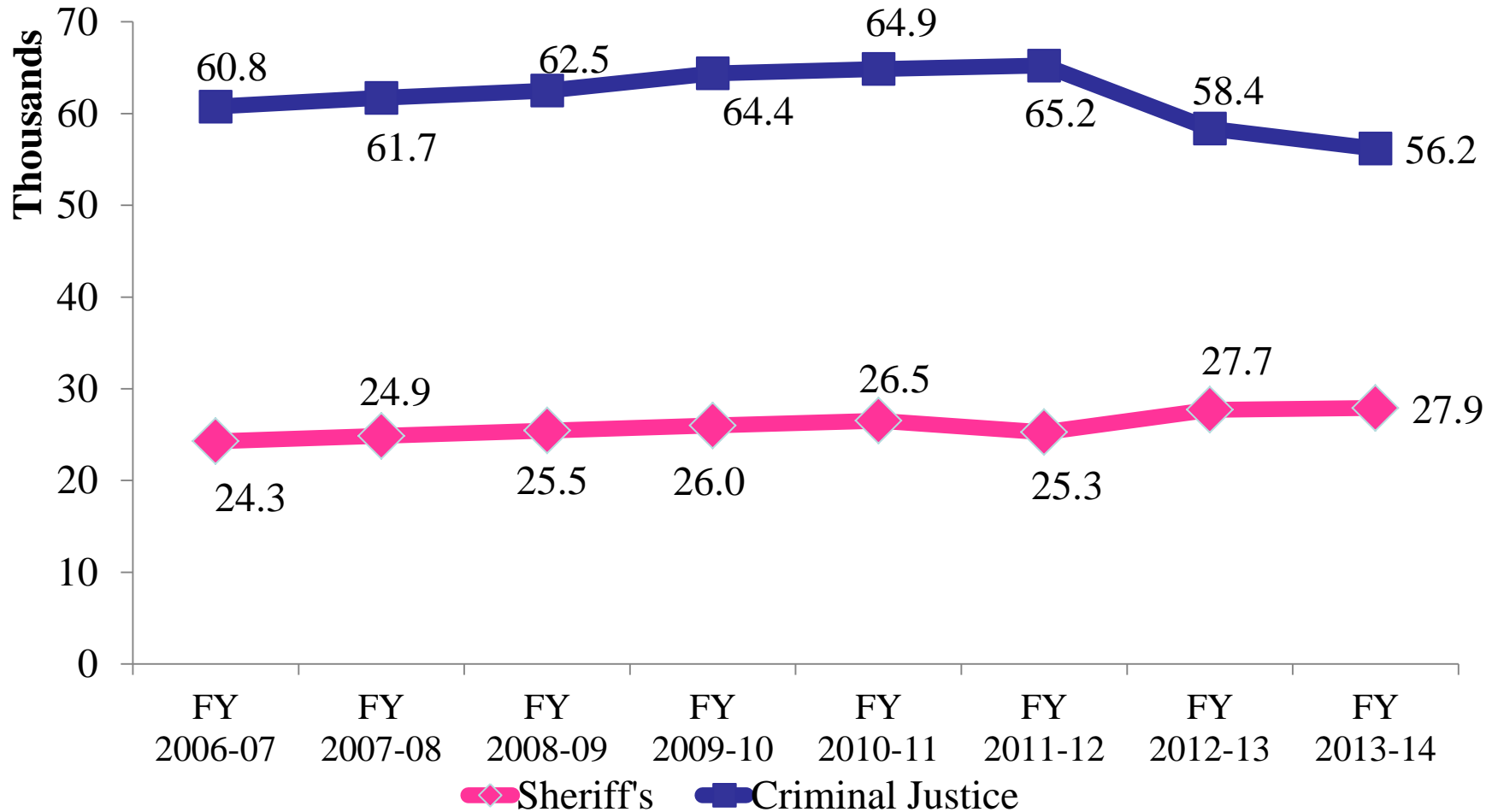
- Establish minimum standards for justice officers
- Certify, recertify, suspend, revoke, or deny certification
- Investigate and evaluate compliance
- Establish standards for annual firearms certification for retired officers



Source: BEACON, BO149, Run Date 03/05/2015

# Certified Law Enforcement

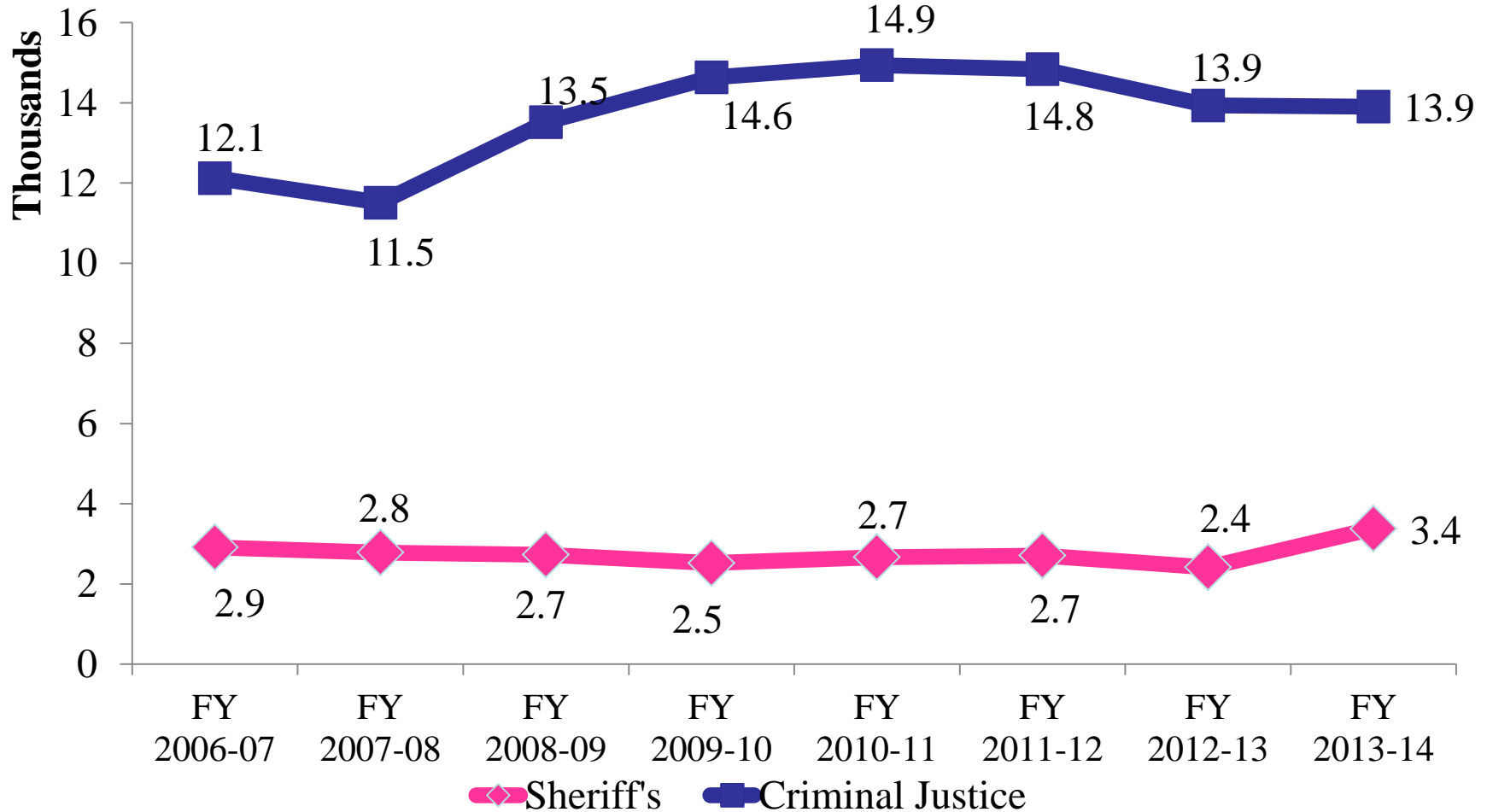
## Total Law Enforcement Certifications Issued



Source: DOJ

# Certified Law Enforcement

## New Law Enforcement Certifications Issued



Source: DOJ



# Commissions' Receipts

---

## **Court Fees (G.S. 7A-304(a)(3a-3b))**

- \$1.25 for Sheriffs' Supplemental Pension Fund
- \$2.00 for CJ Standards services, staffing, and operations

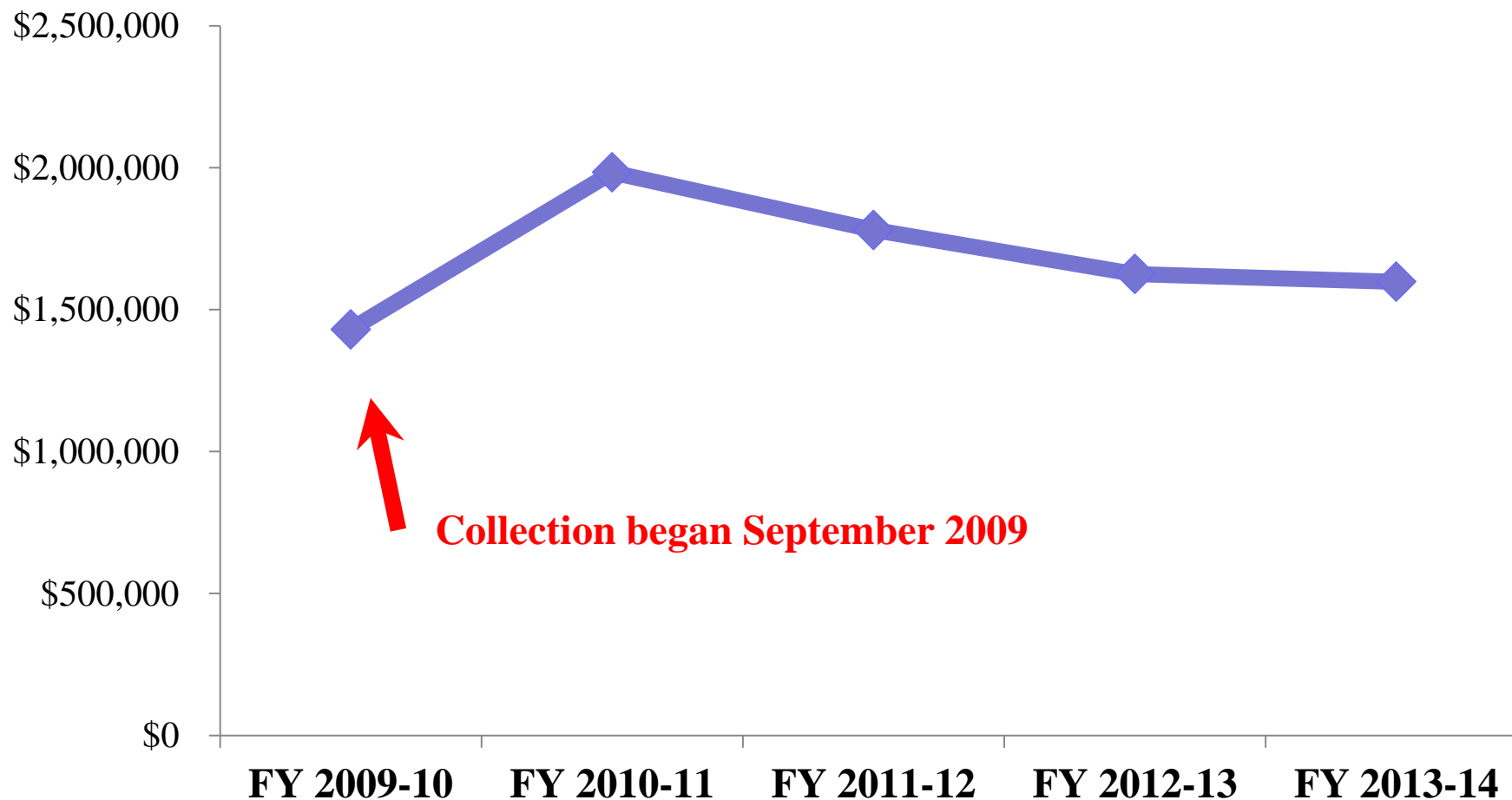
## **Concealed Weapon Trainer Certification (G.S. 14-415.12; 12 NCAC 09F.0107)**

## **Company Police Certification (G.S. 74E-12)**



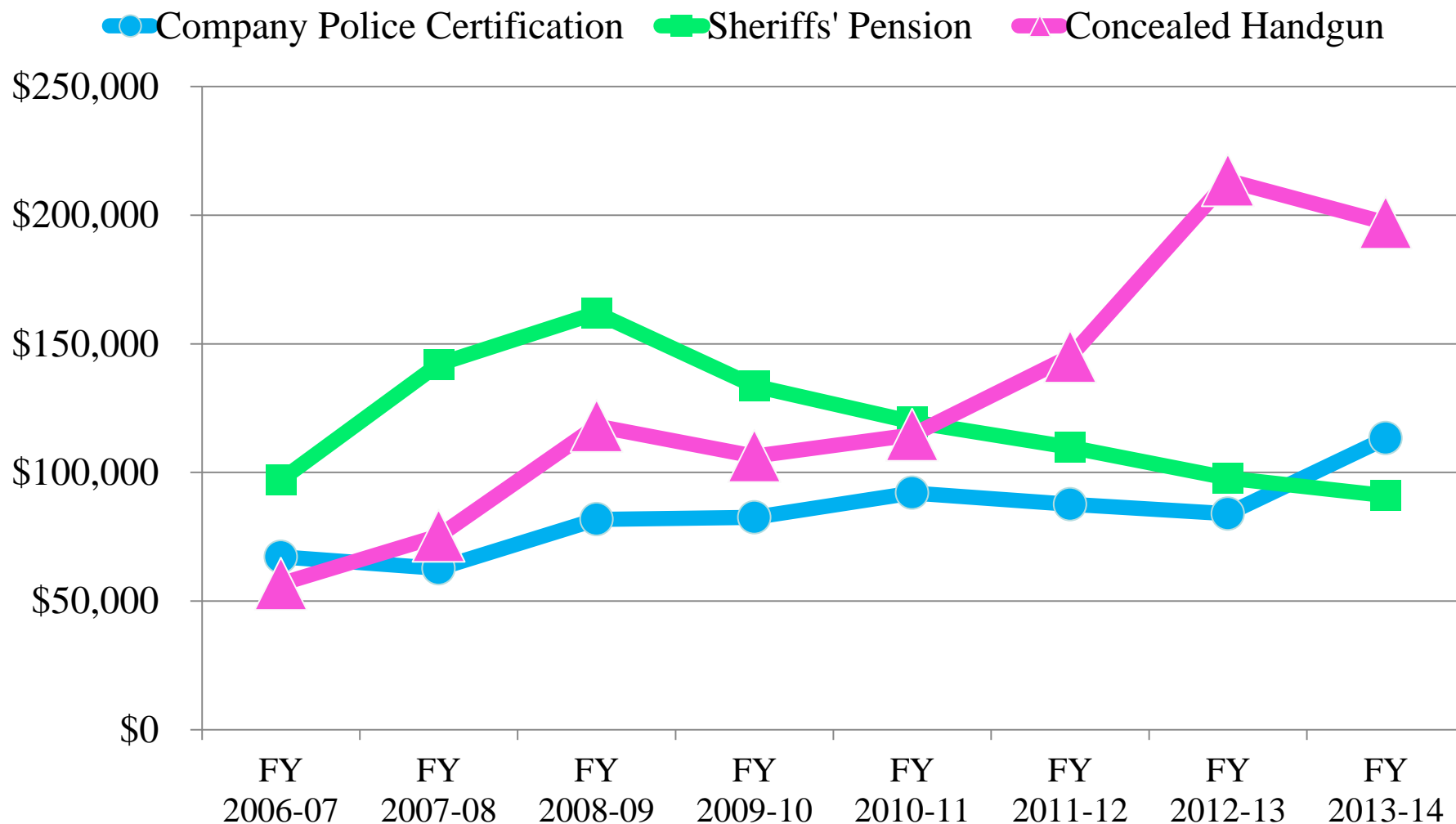
# Commissions' Receipts

## Court Fees (AOC)



Source: AOC

# Commissions' Receipts



Source: NCAS

# NC Justice Academy

**Established in 1973 – G.S. 17D**

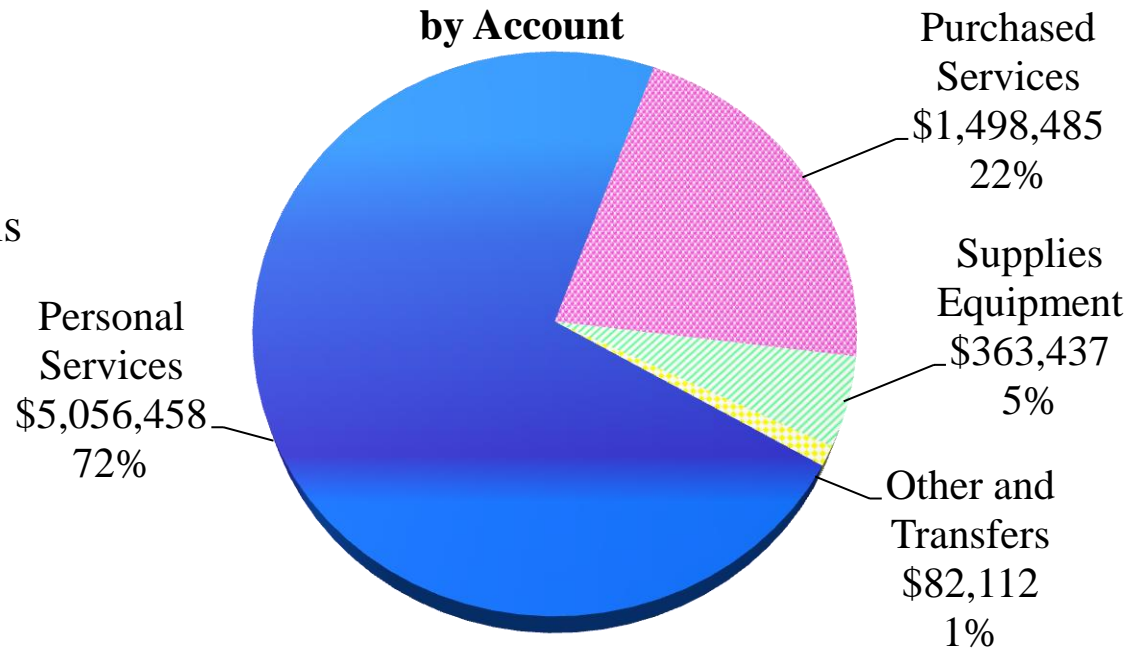
**87 FTE**

**Salemburg Campus and Edneyville Campus**

## **Provide:**

- Advanced law enforcement training
- In-service training
- Course development
- Educational and training materials

## **FY 2014-15 Authorized General Fund Budget by Account**

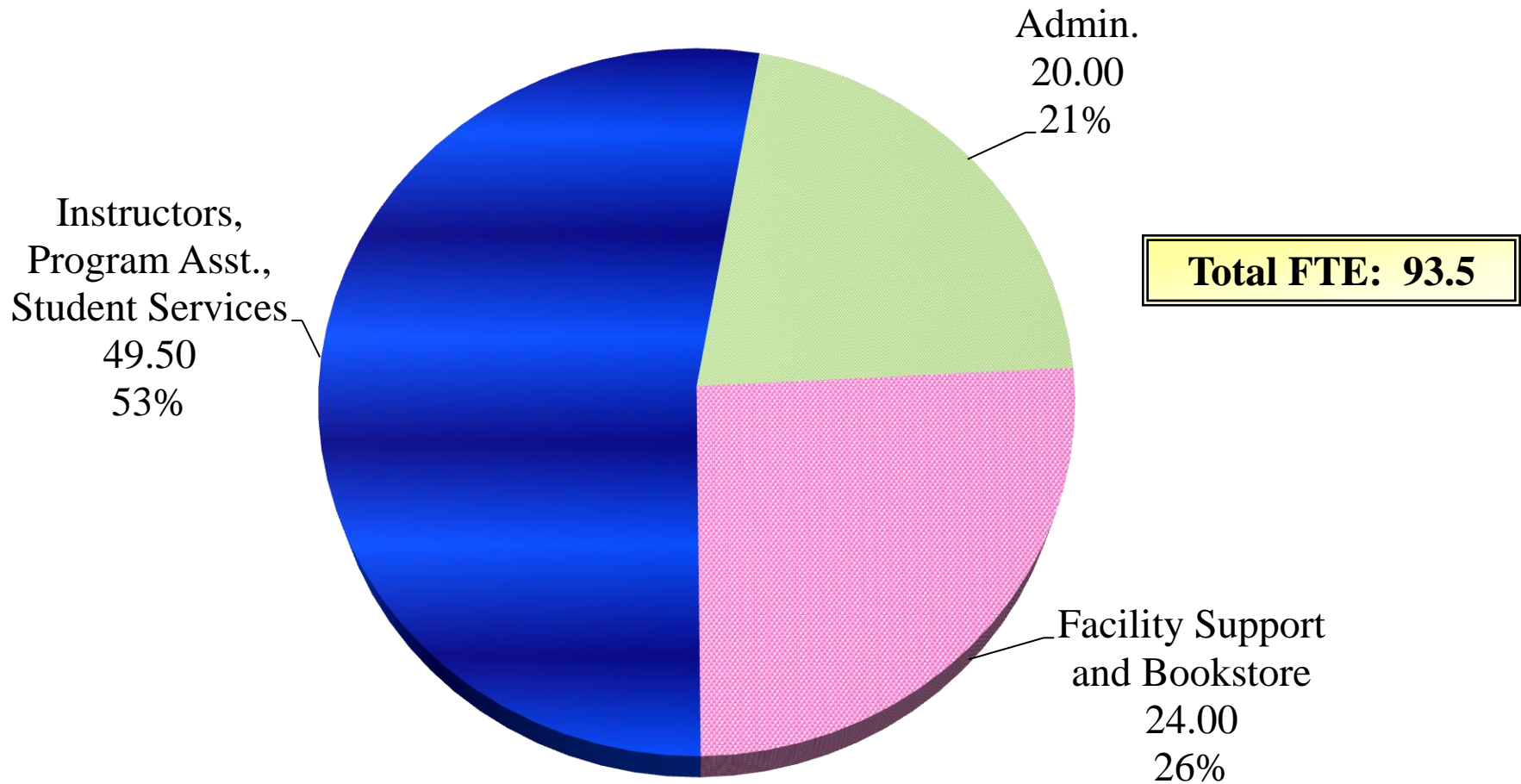


**Total General Fund Budget:  
\$7,000,492**

*Source: Budget - NCAS; FTE – BEACON BO149, 03/05/2015*

# NC Justice Academy

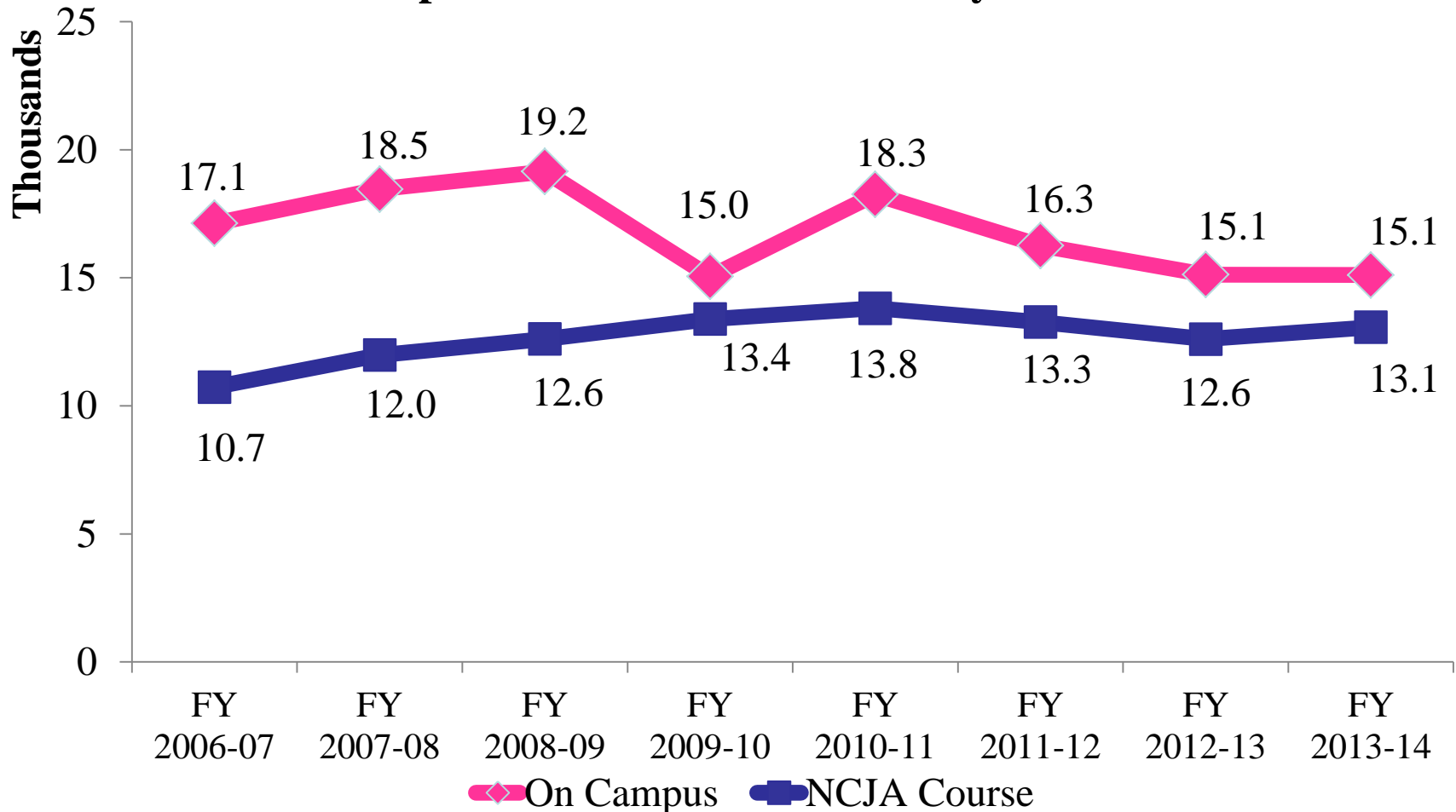
## Justice Academy Positions by Function



Source: BEACON, BO149, Run Date 03/05/2015

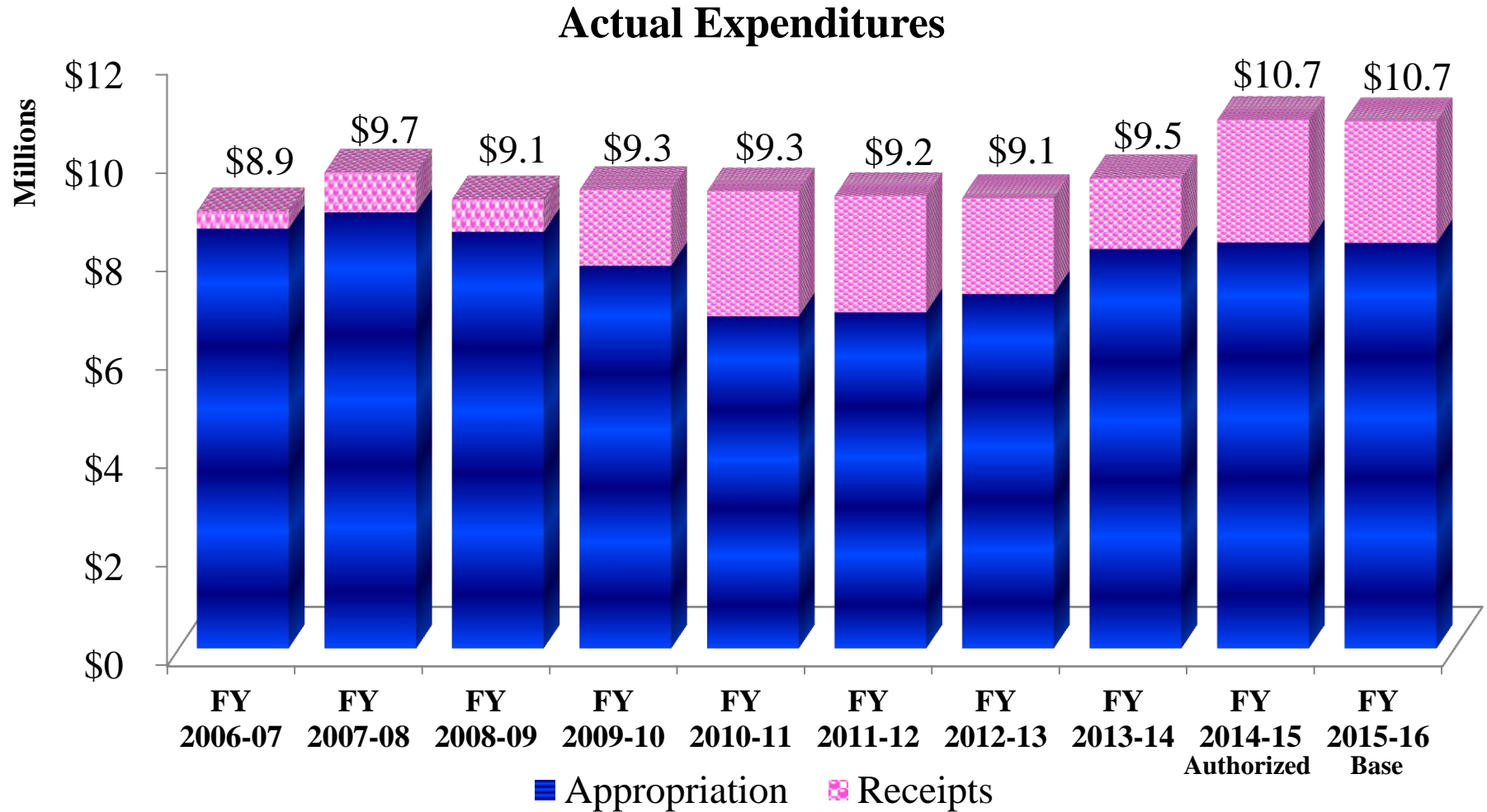
# Certified Law Enforcement

## Students Trained on Justice Academy Campuses and in Justice Academy Courses



Source: DOJ

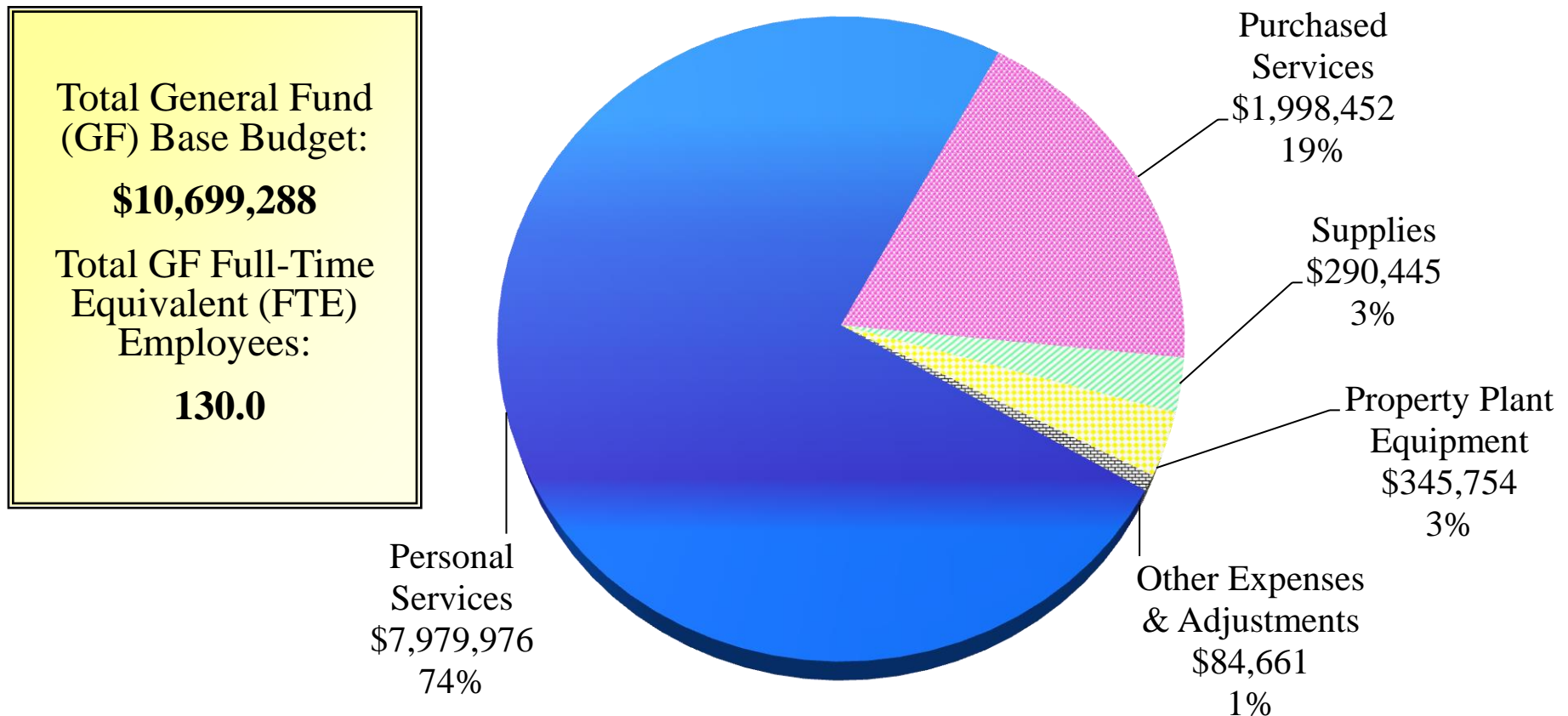
# Training and Standards Budget History



Source: NCAS Budget History and Management Analysis

# FY 2015-16 Base Budget

## General Fund Budget by Account



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015



# FY 2015-16 Base Budget

## General Fund Budget by Source

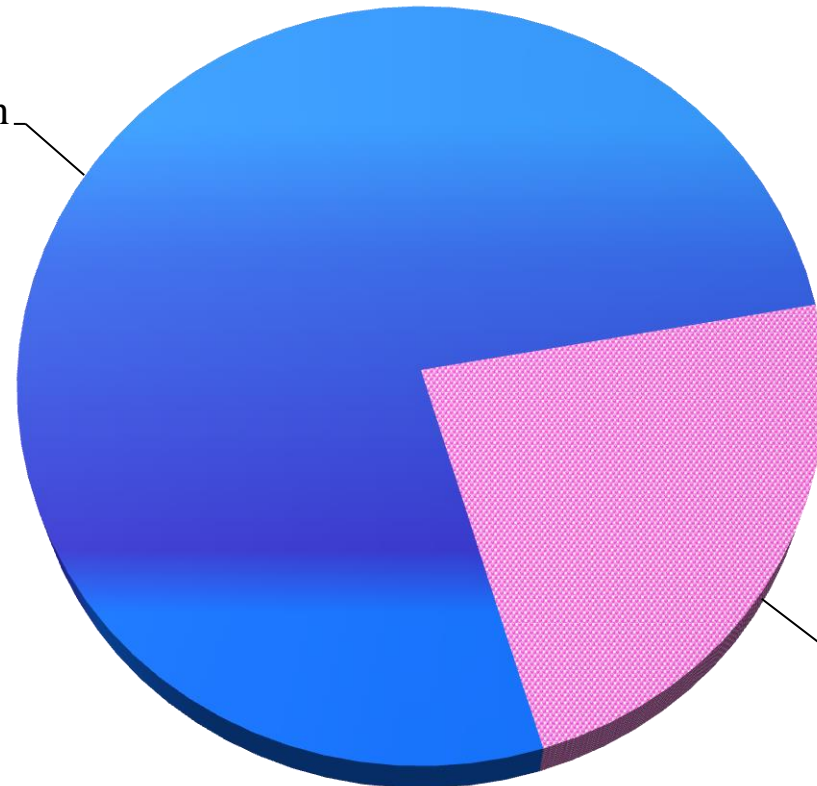
Total General Fund  
(GF) Budget:

**\$10,699,288**

Total GF Full-Time  
Equivalent (FTE)  
Employees:

**130.0**

Appropriation  
\$8,228,253  
77%



Receipts  
\$2,471,035  
23%

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

# Recent Budget Actions

---

## **2013 Budget (S.L. 2013-360)**

Department-wide Management Flexibility Reserve (\$1,700,000) R

Moved Sheriffs' Standards to General Fund support \$1,000,000 R

- **Sec. 2.2(e)** transfers \$1 million from the Statewide Misdemeanant Confinement Fund to the General Fund to support Sheriffs' Standards.
- **Sec. 18B.18** amended the court fee to direct it all to Criminal Justice Standards Commission.

## **2014 Budget (S.L. 2014-100)**

Department-wide Management Flexibility Reserve (\$1,500,000) R

\$1,000 salary increase for all permanent FTE \$989,918 R

# Questions

---

